

# NAVAL POSTGRADUATE SCHOOL MONTEREY, CALIFORNIA



## THESIS

**SQUARING THE CIRCLE: ATTEMPTING PEACE  
IN NORTHERN IRELAND**

by

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September 1997

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IN NORTHERN IRELAND**

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B.S., Santa Clara University, 1993

Submitted in partial fulfillment  
of the requirements for the degree of

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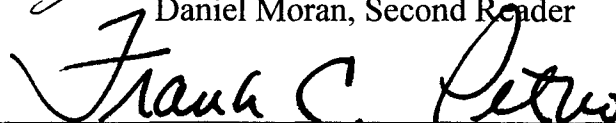
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## ABSTRACT

Finding a political framework for self-government in Northern Ireland that will be supported by both nationalists and unionists is referred to as a modern day attempt to do the impossible—to “square the circle.” During the latest phase of the Troubles, from 1968 to 1996, there have been many attempts to bring peace to Northern Ireland by creating a negotiated settlement, but none has worked. This thesis compares two of the most significant attempts, the first in 1973 and the second in 1993, to evaluate prospects for peace in the future. Although the goals of both attempts were the same (a devolved government, economic recovery, and the cessation of terrorist violence), a comparison shows important differences in the political atmosphere and style of the peace process, effected especially by the changing role of the Irish Republican Army’s political wing, Sinn Fein, and the intervention of third party mediators.



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## I. INTRODUCTION

Around 200 B.C. mathematicians started trying to solve a classical Greek geometry problem known as “squaring the circle”: given an arbitrary circle, construct a square of the same area using only a straight edge and compass. In 1882, squaring the circle was proved impossible. Finding a political framework for self-government in Northern Ireland that will be supported by both nationalists and unionists is referred to as a modern day attempt to “square the circle.” This thesis does not try to fix centuries-old problems; rather, it analyzes two attempts to find a solution in the latest phase of the troubles, from 1968 to 1996. This thesis compares the 1973 and 1993 attempts at peace, and through these case studies reviews the wide historical context of the conflict, identifies significant events and behaviors that influence the peace process, and points out prospects for peace based on the achievements and failings of the two attempts.

The conflict in Northern Ireland is difficult to grasp until one acknowledges that the problem is more complex than the stereotyped war about religion. Precisely because of its complexity and long history, analysis in this thesis is limited to the last 30 years of the conflict and two specific attempts to restore order:

1. The 1973 attempt was the first to try to reconstruct some form of self-government in Northern Ireland after its parliament at Stormont was abolished and direct rule imposed from the British parliament at Westminster. Direct rule created a political vacuum at the local level which the 1973 attempt tried to fill with a Northern Ireland assembly, executive, and all-Ireland Council of Ireland. The goals of this attempt were embodied in the Sunningdale Agreement of 1973. Although the 1973 attempt failed, it is significant because it contains two elements that every serious attempt since have included: a power-sharing government with responsibilities devolved from Westminster, and the inclusion of the Republic of Ireland in the future of the north.

2. The 1993 attempt is the most recent one to construct a political settlement. Unlike 1973, its goal was not to establish and run a new type of government, but to organize “all-party” talks with representatives from the democratically mandated political parties. Party representatives were supposed to discuss and then create a new form of self-government. The goals of this attempt were embodied in the Downing Street Declaration of 1993 and the Framework Documents of 1995. For almost two years it looked like this attempt might work, but progress stalled and it too failed. It is critical to examine the latest attempt at peace because it will be the starting point for the next one.

The social conflict dates back to the 17th century and is typified by intense hostility between Catholics and Protestants. Although Protestants dominated the political order of Ireland since the 1600s, due to their minority status within the whole Catholic island they developed a “siege mentality” and built temporary walls of security through oppressive civil discrimination of Catholics. When Ireland became a part of the United Kingdom in 1800, division between the two camps took on new political terms: most Catholics became nationalists who wanted a free and independent Ireland, while most Protestants became unionists who would fight for the political tie with Britain.

When the island was partitioned in 1920 Protestants became the majority in the northern province of Ulster. The Catholic minority in Ulster naturally cultivated their own “siege mentality.” With partition the term unionist was associated with defense of the bond between Ulster and the United Kingdom; the term nationalist came to mean unification of the island in addition to independence. Each side has its share of militants who promote violence to reach their goals: loyalists are militant unionists, republicans are extreme nationalists. When Northern Ireland’s Protestant parliament at Stormont was abolished in 1973 the status of Ulster as a province of the United Kingdom was unchanged, but the internal constitutional structure was in confusion. A crisis developed over the proper construction of a new framework for self-governance in Northern Ireland.

There are three prominent reasons why a study of Northern Ireland is relevant to national security and policy. First, it shows us how a western democracy responds to political violence. As terrorism becomes one of the most important topics of national and international security, it is instructive to see how Britain and Ireland deal legally and militarily with inter-communal violence and extreme nationalism. Second, while Northern Ireland is a valuable case study, it may be even more instructive to compare it to other conflicts, such as the Basque separatist movement in Spain. Observing the two can teach them and us what has or hasn’t worked in the past in the search to find negotiated settlement. Finally, over the last twenty years the peace process in Northern Ireland has expanded and now involves third parties, in particular, the United States. While Ulster may never be America’s highest foreign policy priority, our increased involvement since the 1993 peace attempt needs to be monitored—it could be one of our greatest successes or it could become a quagmire of violence.

Research methodology for this thesis consisted of a chronology of events and the analysis of historians and political scientists. The comparison of the two attempts is based upon

evidence gathered from a literature review of the history of Northern Ireland and political violence, formal texts of key agreements and communiqués, documents of the British Government, and newspapers and magazines of the day. Chapter II is a synopsis of significant events in the development of the Republic of Ireland and Ulster up to the middle 1960s. Chapter III recounts the events of the late 1960s to 1976, focusing on the 1973 attempt. Chapter IV covers the intervening years from 1977 to 1992 and chronicles the Downing Street Declaration, the paramilitary cease-fires, and the Framework for Peace documents. Chapter V is a comparison and analysis of the case studies. Chapter VI concludes the thesis with lessons to learn, theoretical and practical, for future attempts at peace.

I hope that by comparing the two attempts the reader will appreciate the complicated political and social tapestry of Ireland, recognize the major issues that every peace attempt deals with, and comprehend the challenge of finding a constitutional resolution in the face of political violence.



## II. HISTORY OF NORTHERN IRELAND TO 1967

Although the Reformation played a tremendous role in the development of political divisions based upon religious affiliation, that animosity could not have been sustained without the discriminatory laws and social prejudices that continued to be nurtured well past any rational explanation. The battle in Northern Ireland is not, after all, about the transubstantiation of the Eucharist, but about power and security, and the fact that neither Protestants nor Catholics have ever felt that they had either. A brief review of Ireland's long and turbulent history will highlight the issues that consistently serve as stumbling blocks for a lasting resolution to the northern troubles—the goals of unionists v. nationalists, the tradition of physical force republicanism, partition, and Protestant hegemony in Ulster. Depending on the reader's interpretation, Ireland is a country without history because its past is being constantly repeated,<sup>1</sup> or, in other words, it is an example of “how those who remember the past are especially condemned to repeat its mistakes.”<sup>2</sup>

### A. MEDIEVAL IRELAND TO THE ACT OF UNION

Ireland is an ancient land that pre-dates Christ by 8000 years; by the eighth century its people were predominantly Roman Catholic. Britain first invaded Ireland in 1169 but the invaders intermingled with the natives and succeeded in controlling only a few hundred square miles around Dublin. Four hundred years later the Tudors finally conquered Ireland in 1603. The impact of Tudor rule, however, came from the course of maritime imperial glory it set for England. By the 17th century Ireland was strategically important for the protection of Britain's western flank from foreign armadas, but Irish loyalty to their Protestant rulers was doubtful since the 16th century Reformation had failed to convert most of the Catholic natives.

A cluster of nine counties in the north-east known as Ulster was especially resistant to English influence. To strengthen Irish allegiance to the Crown, Britain encouraged the immigration of Scottish and English Protestants to Ulster. The “plantation of Ulster” succeeded in colonizing a part of Ireland with subjects who would maintain their “Englishness” rather than

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<sup>1</sup> “Ireland is almost a land without a history, because the troubles of the past are relived as contemporary events.” Richard Rose, *Governing Without Consensus: An Irish Perspective* (Boston: Beacon Press, 1971), 75.

<sup>2</sup> Padraig O'Malley, *Biting at the Grave: The Irish Hunger Strikes and the Politics of Despair* (Boston: Beacon Press, 1990) 9.

succumb to Irish culture. The colonization of Ulster, though, became a touchstone in nationalist history—a symbol of the displacement of Catholic natives by Protestant foreigners who, in addition to stripping the Irish of their homes, imposed oppressive restrictions that barred them from rights to own and buy land, vote, and hold political office. The seeds of Northern Ireland's sectarian divide were sown so deeply at this time that 300 years later, in the final quarter of the 20th century, "men and women say they are Catholic, describing not their churchgoing habits but their political beliefs: they are Irish, not British."<sup>3</sup>

Total British domination of Ireland dates back to the late 1600s when Irish Catholics supported James II in his struggle to win the British kingdom from the Protestant, William of Orange. Two battles doomed James' efforts: the first when his Catholic army failed to defeat Protestants at the siege of the plantation town of Derry in 1689, the second in 1690 when his troops were decisively routed at the Battle of the Boyne. In 1691 all Catholic forces surrendered to William, securing an organized British military presence in Ireland.

Oppressive laws by the Protestant rulers inspired the formation of secret societies to preserve the Irish culture and promote a legitimate and independent nation. In the beginning, most societies were agrarian based groups of Catholics organized to work for land reform, but by the late 1700s many secret societies had distinctly political ambitions. It is in secret societies that the tradition of physical-force republicanism was born. One of the most important groups was the Society of United Irishmen because it was among the first to advocate the use of violence to achieve independence. In 1858 sister organizations were founded for militant republicans—the Fenian Brotherhood in the United States, and the Irish Republican Brotherhood in Ireland. The Fenian Brotherhood remains a source of republican expatriate support and the latter became the forerunner of the Irish Republican Army.

Over the years the minority Protestant community cultivated a paranoid siege mentality, suspecting that Catholics were constantly planning to rise against them. After their fears materialized during the Rebellion of 1798, most Protestants considered closer ties with Britain a form of personal protection and therefore supported the 1800 Act of Union that joined the kingdoms of Ireland and England "for ever."<sup>4</sup> The Act abolished the Irish Parliament that had been in existence since the Middle Ages and destroyed Irish prerogative in domestic and international affairs by placing executive decision-making power in the hands of the

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<sup>3</sup> John Conroy, *Belfast Diary: War as a Way of Life* (Boston: Beacon Press, 1987) 3.

<sup>4</sup> Robert Kee, *Ireland: A History* (Boston: Little, Brown and Company, 1982) 66.



Westminster parliament. Officially, the Act of Union was supposed to make Ireland a partner in the United Kingdom with opportunities to share in the economic advantages and political reforms of nineteenth century England. In reality, Protestant support for the passage of the Act of Union polarized the two religious communities. While the Act meant that Irish MPs would sit in the House of Commons and Irish peers would take seats in the House of Lords, politically savvy Protestants regarded the creation of a single Parliament as a guarantee of a permanent Protestant majority in political matters. Legally, the Act eliminated Irish agitators' claims to secede and offered Irish subjects two alternatives: deny their nationalist aspirations or reject the established regime.<sup>5</sup>

## **B. THE 1800S TO WORLD WAR ONE**

There were a number of reforms during the early 1800s, including Catholic emancipation, that alleviated some of the inter-communal tension. If the reforms caused nationalist ideals to dissipate in some communities, the issue was reinvigorated and spread internationally by the Irish Potato Famine. The blight that destroyed potato crops around the world was especially devastating in Ireland where the potato was the primary source of food for the Irish peasant population. Between 1840 and 1845 more than one million Irish men, women, and children, mostly poor Catholic tenant farmers and their families, died of starvation. The famine forced hundreds of thousands to emigrate, bringing with them to their new lands a terrible hatred of the British who, in their eyes, had done nothing to prevent the mass starvation. The United States became the new home of thousands of Irish immigrants who founded societies that to this day continue to support the republican cause.

By the end of the 19th century some members of the Westminster parliament thought the time had come consider Irish claims to self-determination. In 1886 the first Home Rule bill was introduced in the House of Commons. Even though Home Rule did not call for complete Irish independence, but rather a devolution of political responsibility while remaining within the British empire, the bill was opposed. Unionists, people who supported the bond between Britain and Ireland created by the Act of Union, based their opposition on three issues: religion, money, and a conglomeration of anxieties centered around questions of ethnicity, culture, and loyalty.<sup>6</sup>

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<sup>5</sup> Rose, 81-82.

<sup>6</sup> James Downey, *Them and Us: Britain, Ireland and the Northern Question, 1969-1982* (Dublin: Ward River Press, 1983), 38

The 1886 bill failed to pass in the House of Commons and in 1892 a second Home Rule bill failed to pass in the House of Lords. But in 1912 a third Home Rule bill was introduced and in 1914 it was signed into the Statute Book. The bill called for an all-Ireland parliament with responsibilities for most domestic matters. Issues affecting the Crown such as peace and war, the army and navy, international treaties, and most taxes belonged to Westminster. Without question absolute parliamentary supremacy remained in London, yet once the bill's passage appeared likely Protestants in Northern Ireland protested with anger and violence. In 1913 opponents of the bill formed an organization of 100,000 men known as the Ulster Volunteers who swore to deny Home Rule to Ulster. In response, nationalists formed their own, though less well-armed citizen army known as the Irish Volunteers. Before the bill could go into effect, though, World War One erupted and the bill was suspended for the duration of the war. The Irish Parliamentary Party representative, the leader of the constitutional Home Rule movement, pledged the Irish Volunteers to the British war effort, confident that this gesture would guarantee the implementation of the bill when the war ended.

In 1915 the Supreme Council of the Irish Republican Brotherhood appointed a Military Committee to take advantage of Britain's involvement in the war and plan an insurrection. On Easter Monday, 1916, a few hundred Irish Volunteers (those who had not joined the British Army) captured the General Post Office in the center of Dublin and marched into republican history. Soon after the green, white and orange tricolor was run up the Post Office flagpole, Padraig Pearse from the Military Council proclaimed the establishment of "The Provisional Government of the Irish Republic." The Uprising lasted one week and killed 300 civilians, 60 Volunteers, and 130 British soldiers. Against good advice the British summarily executed 15 of the rebellion's leaders. In doing so the British badly misjudged Irish social mores and shocked Irish opinion. The Uprising had been unpopular with the Irish public, but the immediate executions ensured that when the remaining prisoners were released six months later they were welcomed home as heroes and the dead ones revered as martyrs. Never anticipated by its planners to be a military success, thanks to the British the rebellion did achieve its ultimate goal of rekindling dormant Irish nationalism.

### C. PARTITION AND THE STORMONT PARLIAMENT

After World War One the British Government realized that a Home Rule bill could not be implemented without a fight from Protestants and unionists. From 1918 to 1921 separatists waged the Tan War, an “archetypal national liberation struggle,”<sup>7</sup> distinguished by escalating guerrilla warfare between unionists and nationalists. Britain, exhausted from World War One and the Tan War, decided that separating the nationalists from the unionists by partitioning the island was a reasonable solution to quell the violence. The Government of Ireland Act 1920 created separate Parliaments—one in Belfast to represent six northern counties in Ulster (themselves broken away from the traditional nine county cluster of Ulster), and one in Dublin to represent the remaining 26 counties. In addition to separate parliaments a Council of Ireland was proposed with limited responsibilities for all 32 counties and which might eventually become a single all-Ireland Parliament federated to Westminster. Both parts of Ireland would continue to send representatives to Westminster which reserved the powers of defense, foreign affairs, and coining money.

By 1921 the strength of the southern nationalist rebels made partition, while not ideal, at least acceptable to Ulster Unionists. Although the 1920 Act had not been supported by unionists in its entirety, primarily because of the concept of the Council of Ireland, they accepted the 1921 Anglo-Irish Treaty that formally partitioned Ireland. According to the Treaty the southern 26 counties became known as the Irish Free State and a dominion of the United Kingdom while the six northern counties remained a British province. By excluding from the new province the three most Catholic counties in Ulster, unionists were guaranteed a two-thirds majority over Catholics. Still suffering from a siege mentality, partition finally made the Protestants a majority, something they quickly translated into political, economic, and social domination.

Sides were now drawn between pro- and anti-treaty forces. Treaty supporters joined the army of the new Free State while those who opposed it as a “sell-out” to the British fought as the Irish Republican Army in defense of the 1916 rebellion’s dream of a free republic. The IRA lost the Civil War and went underground but in 1925 moderates led by Eamon de Valera began to contest elections in the Free State as members of the Sinn Fein party. de Valera had been a Commandant in the Irish Volunteers in the 1916 Uprising but his life had been spared. In 1926

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<sup>7</sup> J. Bowyer Bell, *A Time of Terror: How Democratic Societies Respond to Revolutionary Violence* (New York: Basic Books, Inc., 1978), 206.

de Valera abandoned the abstentionist policy of Sinn Fein and formed the republican party of the Fianna Fail. Fianna Fail members took seats on the opposition benches in the Free State in 1927 and five years later won the majority benches. They had succeeded politically where the bullet had failed by becoming a "slightly constitutional" party.<sup>8</sup>

As the Free State got on with the business of recovering from the Civil War, unionists in Ulster got down to the business of creating a parliament of their own at their offices in Stormont Castle. Before long they established a permanent hold on the Stormont system by intentionally excluding nationalists. From the start Unionists did not try to legitimate their regime by attracting the support of Catholics. Because the Ulster Parliament was virtually ignored by the civil servants in London, politicians at Stormont were free to see that the new parliament met the immediate needs of unionists and provided a focus for their own aspirations. In the words of the first Prime Minister of Northern Ireland, Lord Craigavon, Stormont was "a Protestant parliament for a Protestant people."<sup>9</sup>

Perceived threats from the Catholic minority, the Free State, and republicans who rejected the 1921 treaty promoted the Unionist point of view that "Protestants had been loyal to the British Crown; therefore, only Protestants were deemed worthy of participation in government."<sup>10</sup> Protestants maintained political dominance through a virtual monopoly of municipal jobs, housing facilities, private employment, and education—means that would have been intolerable in Britain. Although there were unionist/loyalist mavericks and splinter parties, some even relatively successful like the small Northern Ireland Labour Party, no one believed that Northern Ireland would be ruled by anyone but the Unionists so long as Stormont existed.<sup>11</sup> Protestant solidarity virtually guaranteed a political stranglehold that left nationalists a permanent minority with no hope of gaining power by peaceful constitutional means. As a

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<sup>8</sup> In 1927, in the wake of the assassination of the government's Minister of Justice, the Fianna Fail representatives appeared in the Dail to take their seats as political representatives. They insisted that they had not taken an Oath to the British monarch as all representatives were expected to, thereby making them "slightly constitutional." Ibid., 208-209.

<sup>9</sup> Institute for the Study of Conflict, *Northern Ireland: Problems and Perspectives* (London: Institute for the Study of Conflict: 1982), 5.

<sup>10</sup> "As long as Catholics resided in Northern Ireland, they would be expected to comply with the regime's laws; their support was neither sought nor obtained. This caste division was simple, easily understood and entirely consistent with the Orange version of Irish history." Rose, 92-93.

<sup>11</sup> While it is generally agreed that in a democratic government opposition parties have the chance to gain power, this opportunity was nonexistent in Northern Ireland. General elections in Northern Ireland were not real contests for power since Unionists could take victory for granted. Institute for the Study of Conflict, *Problems and Perspectives*, 5, 16.

consequence of their unassailable power Unionists grew progressively less sensitive to nationalist criticism.

By 1920, land reform laws allowed the Catholic peasantry to own land, thus further limiting Britain's interests in Ireland, but the success of its 17th century immigration program prevented Britain from withdrawing altogether. At the time of the Government of Ireland Act of 1920 partition was regarded as neither permanent nor best by both unionists and nationalists, but it was a British expedient that conveniently removed the Irish question from British politics.<sup>12</sup> The Ulster parliament sat at Stormont Castle while Westminster retained control over defense, foreign affairs, and economic policies. There was little interaction between the two—partly due to London's aversion to Irish politics and partly due to the quasi-federal character of the 1920 constitutional settlement. After 1920, London was unwilling to be drawn back into Irish politics, so much so that from 1923 on, most political matters devolved to Northern Ireland were forbidden to be discussed at Westminster. Over time the northern and southern parliaments became established on an apparently permanent basis. In the north the unionists, encouraged by conservatives in London, fostered a quasi-national feeling. Catholics on the other hand, and nationalists in particular, continued to regard partition as temporary and the cause of the political and social inequities.

In 1949 the Free State transformed itself into the Republic of Ireland. Even though the 1949 Act affirmed that Ulster would remain a part of the United Kingdom so long as the Ulster parliament and the majority of the people wished it, Protestants were anxious knowing that Westminster had the power to change the constitutional framework of Ulster at any time—"because of the doctrine of parliamentary sovereignty, Stormont could not be entrenched."<sup>13</sup> Using their majority power Unionists created Draconian 'lop-sided' policies with heavy emphasis on coercive powers, relatively obtrusive security forces, and denial of ordinary civil rights to the Catholic community.<sup>14</sup> In Unionist eyes this was justified by the uncertain allegiance of northern nationalists to the Northern Ireland state.<sup>15</sup> Unionist fears were further exacerbated by rhetoric from the Republic about an inevitable united Ireland. The fact that two articles in the Republic's constitution laid claim to sovereignty over the entire island escalated

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<sup>12</sup> Ibid., 5.

<sup>13</sup> Max Beloff and Gillian Peele, *The Government of the United Kingdom: Political Authority in a Changing Society* (New York: W.W. Norton & Company, 1980), 285.

<sup>14</sup> *Northern Ireland: Problems and Perspectives*, 6-7

<sup>15</sup> Ibid., 6-7.

unionist certainty about plans for reunification, plans that if successful would once again relegate Protestants to a distinct minority within a Catholic state.

### **III. 1969-1976: THE ABOLITION OF STORMONT AND THE NORTHERN IRELAND EXECUTIVE**

Ignored by London for fifty years, unionist domination of the political and social life in Northern Ireland bred the seeds of its own destruction. Lack of consensus from its citizens made the Northern Ireland system unique in western democracies but by the late 1960s even Ulster was being swept up in the world-wide tide of civil rights activists and youthful protesters. When Catholic and Protestant violence couldn't be controlled, the administration of the province was turned over to "direct rule." On New Year's Day 1974 the first attempt was made to fill the gap in self-governance and forge a political peace. The power-sharing Northern Ireland executive and all-Ireland Council were groundbreaking experiments, bringing Catholics and Protestants together on an equal footing in the hallowed halls of government. Although the 1973 attempt failed, it is the basis for every serious attempt at peace since 1974. Just as the Northern Ireland assembly, executive, and Council of Ireland tried to improve the Stormont system, so too have the many successive attempts at peace since 1974 been better versions of this one.

#### **A. BREAKDOWN IN ORDER: THE CIVIL RIGHTS MOVEMENT AND THE BRITISH ARMY**

The veneer of Northern Irish society that coated almost fifty years of Protestant domination cracked in the late 1960s when Catholic frustration with their lack of participation in the government found a voice in civil rights organizations and marches. The civil rights movement that began in 1968 was not motivated by notions of a united Ireland. Rather, protesters wanted to reform the political, economic, and social discrimination within the existing system, not tear it down. Ironically, right-wing loyalists and unionists insisted that every challenge to discriminatory practices was an attack upon the entire structure of the state.<sup>16</sup> The civil rights movement borrowed freely from the American civil rights campaign and theories of non-violence, but peaceful demonstrations were met by hostile Protestant opponents and quickly turned violent. Britain hesitated to become involved until the deepening crisis threatened total collapse of the Northern Ireland system.

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<sup>16</sup> Jack Holland, *Too Long a Sacrifice: Life and Death in Northern Ireland Since 1969* (New York: Dodd, Mead & Company, 1981), 34.

Every year during the summer months Protestants and Catholics replay their most victorious moments in history with over 2500 exclusively sectarian parades. Waving banners and shouting insults, the more aggressive Protestant parade routes intentionally run through Catholic neighborhoods with the purpose of antagonizing the residents. On 12 August 1969 the annual march in Derry that commemorates the defeat of James's II troops turned into the worst violence since the 1920s. Catholics stoned the marchers, the Royal Ulster Constabulary (the RUC, the provincial police force made up primarily of Protestants) charged with batons. A riot ensued that spread from Derry to Belfast to Dungannon and killed 5 Catholics and 2 Protestants.

The Republic set up refugee camps and field hospitals along the border and requested that a United Nations peace-keeping force be sent to Ulster. The peace-keeping idea was quashed by the British government who insisted that the problem would be dealt with as an internal affair. Prior to the Derry riot, as the civil rights movement escalated, Britain hoped that an improved and evenhanded law and order policy would solve all problems, but the violence during and after the Derry riots proved too much. At the request of the prime minister of Northern Ireland, James Chichester-Clark, British army troops marched into Ulster on the eve of 14 August to support the civil power. The entrance of the troops was an admission that fifty years of Unionist hegemony did not result in their control of the territory because the people trusted neither the politicians nor the police. More important, but less obvious at the time, sending in the troops questioned the very basis of the constitutional settlement whereby Britain ruled the North at arm's length and Stormont retained responsibility for internal law and order. It weakened the union instead of strengthening it and forced the issue of a constitutional review that neither Stormont nor Westminster was prepared or willing to undertake.<sup>17</sup>

## **B. REBIRTH OF THE IRISH REPUBLICAN ARMY**

The Irish Republican Army dates back to the rise of secret societies in Ireland in the late 1700s. The modern IRA is associated with the 1916 Easter Uprising in Dublin. After failed campaigns against partition most IRA leaders were imprisoned during the 1950s. When they were released in the early 1960s the organization was nearly extinct. Ironically, the *absence* of the IRA during and after the Derry riots resurrected the organization.

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<sup>17</sup> Downey, 57.



Before 1969 old guard leaders of the IRA began to incorporate a Marxist political ideology into the organization. The violent crackdown of the Derry protest convinced some members that because of the new left-wing influence the IRA could not provide Catholics with either physical protection or civil rights reforms. The IRA's embarrassing absence during the Derry riots prompted graffiti in Catholic ghettos that read "IRA—I Ran Away," but the incident on the whole showed "a total breakdown of Catholic confidence in the state and its forces of law and order. Such alienation was required to give moral authority to those within the IRA who wanted to return to the gun."<sup>18</sup>

Made up mostly of younger and newer members, internal rebels broke away from the Official IRA and formed the Provisional Irish Republican Army (PIRA or Provos). The Provisionals gained public support by promoting themselves as "defenders of the Catholics" and turning Catholic distrust of the Royal Ulster Constabulary and the British army to their advantage. Although the goal to unite Ireland remained the same for both the Provisional and the Official wings of the organization, the Provos, reminiscent of the United Irishmen, called for violence to fulfill republican goals.<sup>19</sup> The fissure between the Provos and the Officials was an irrevocable one over the spirit of the revolution.<sup>20</sup>

### C. THE END OF THE STORMONT PARLIAMENT

In return for the commitment of troops, Chichester-Clark committed his government to implementing a set of reforms. The reform package disbanded the "B-Specials" (a Protestant militia that acted as a police reserve force), and replaced them with a unit of the British Army known as the Ulster Defence Regiment; brought in commanders from mainland Britain to reform the recruitment and training of the RUC; installed a senior official from the Foreign Office to promote good relations with the Republic; redrew the gerrymandered municipal government of Derry so the Catholic majority could take control; set up a new housing authority to replace the

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<sup>18</sup> Holland, 34.

<sup>19</sup> The constitution of the IRA, known as "The Green Book," outlines the aims, objectives, and disciplinary procedures of the army. Point Three of its constitution states the organization's aim is "To wage revolutionary armed struggle." Martin Dillon, *The Dirty War* (London: Arrow Books Limited, 1990), 483.

<sup>20</sup> The split "appalled the Officials, who while not adverse to the gun felt a single-minded dedication to physical force would lead to pogroms and sectarian war and would never unite the whole people of Ireland." J. Bowyer Bell, *The Secret Army: The IRA 1916-1979* (Cambridge, Massachusetts: MIT Press, 1989), 37.

allocation of public housing by local councils which in Protestant towns had been flagrantly discriminatory; and outlawed discrimination in private employment.

In 1970 a new Northern Ireland political party called the Social Democratic and Labour Party (SDLP) was formed from leaders of the civil rights movement and remnants of the disintegrating Nationalist Party. By dropping the traditional abstentionist policy of Catholic nationalists, the SDLP tried to participate in the governance of Northern Ireland. The SDLP was committed to "constitutional nationalism" and represented the changing nature of Northern Ireland Catholic society by attracting younger, inquisitive, and optimistic members.<sup>21</sup> In June 1971 Chichester-Clark's replacement, Brian Faulkner of the Ulster Unionist Party, proposed three new parliamentary committees, of which at least two would be chaired by members of an opposition party. At first, in its role as moderate opposition, the SDLP approved of the plan, but continued skirmishes between the army and Catholics in Derry forced it to announce on 16 July that they were withdrawing from Stormont and setting up their own alternative assembly.

One month later, in an attempt to stop the wholesale violence of the paramilitaries, Faulkner instituted the practice of internment without trial. Internment was not a new security measure for Ireland and had been used with success against the IRA during its bombing campaign in the late 1950s. This attempt, however, was a disaster from the very beginning. On 9 August 1971 army patrols, empowered under the Special Powers Act, swept through Catholic ghettos to arrest anyone "acting in a manner prejudicial to the peace and maintenance of order." In the initial sweeps between 9 August and 14 December 1971, the RUC charged 342 men, interned a total of 1576 people, and later released 934 without charge. From the start it was obvious that the army patrols were working with inaccurate and out-of-date intelligence—instead of active IRA members the RUC arrested moderate civil rights activists, young socialists, and outspoken intellectuals. Someone from almost every Catholic family in Belfast and Derry was interned but very few Protestants were rounded up. Worse, reports soon spread about abuse in the prisons, including illegal interrogation techniques. The situation dissolved into chaos that only magnified the violence and internment became the IRA's most powerful recruiting and propaganda weapon.

From 1969 to 1972 it appeared increasingly bizarre to Westminster for British troops to implement Stormont's apparently ineffective security policy. In January 1972 the British

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<sup>21</sup> J. Bowyer Bell, *The Irish Troubles: A Generation of Political Violence, 1967-1992* (New York: St. Martin's Press, 1993), 196.

government reached its limit with a fiasco known as Bloody Sunday. In early January the Northern Ireland Civil Rights Association (NICRA) began to plan an anti-internment demonstration in Derry. Local RUC authorities advised the government to let the demonstration alone and to arrest its leaders afterwards, but the government ceded to Protestant militants' demands for a show of force and called in a special squadron of the British army. On 30 January 1972 British paratroopers shot into a crowd of unarmed civil rights demonstrators in Derry, killing 14. In full view of world media the province erupted into uncontrollable sectarian warfare.

On 22 March British Prime Minister Edward Heath informed Faulkner that Westminster was taking over security in the province. Two days later Heath prorogued Stormont. In April 1972 Westminster suspended the Stormont parliament and assumed control under direct rule. The suspension of Stormont established the Northern Ireland Office (NIO) headed by a Secretary of State for Northern Ireland who is charged with dealing with political and constitutional matters, security, police, and criminal justice policy. To political analysts, "The suspension of Stormont was seen by many not as a temporary solution to Ulster's problems but as an admission that a form of government which had so patently failed to build up the support of a consensus had to be replaced."<sup>22</sup> To nationalists, the suspension prompted optimism that whatever type of government filled Stormont's gap would finally grant them a political voice in the administration of the province. To unionists, the suspension augured further appeasement of Catholic demands by more drastic Westminster reforms and was a betrayal of their British loyalties for it stripped them of their hard-earned authority.<sup>23</sup>

#### **D. THE NORTHERN IRELAND ASSEMBLY AND THE SUNNINGDALE AGREEMENT**

1972 was bloody, exhausting, and chaotic; 1973 dawned with hopes of returning some degree of peace and order to the province. After direct rule was imposed the remainder of 1972 was used by the army to clear and calm the streets. 1972 holds two dubious distinctions: the highest number of deaths and the highest number of British troops. Over 25,000 troops were stationed in Northern Ireland in support of Operation Motorman to control demonstrations and

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<sup>22</sup> Beloff and Peele, 289.

<sup>23</sup> John E. Finn, *Constitutions in Crisis: Political Violence and the Rule of Law* (New York: Oxford University Press, 1991), 76.

clear neighborhood “no-go” barriers.<sup>24</sup> While Operation Motorman met almost no resistance and resulted in only one fatal casualty, it completed the picture of Northern Ireland as an occupied country, and Belfast in particular as an occupied city.<sup>25</sup>

When the administration of justice and internal security in Northern Ireland reverted to Westminster the internal constitutional structure of Northern Ireland was in a state of confusion. Ulster’s constitutional position within the United Kingdom, as well as the structure and organization of the judiciary and police force, were essentially unchanged, but a crisis developed over the proper construction of a constitutional order. The crisis that developed which remains unsolved—the circle that needs to be squared—is finding a framework for self-governance in the province that will be supported by both nationalists and unionists.<sup>26</sup>

The first steps that set up the fundamentals for a new devolved government with executive powers were proposed in the Northern Ireland Constitution Act of 1973 and the Northern Ireland Assembly Act of 1973. The acts provided for an Assembly elected by proportional representation (instead of the customary first-past-the-post) with law-making powers and heads of departments who would be grouped into an Executive. The Northern Ireland Constitution Act divided the Assembly’s legislative powers into three matters. The Assembly could not substantively legislate on *excepted matters*—national issues such as the Crown and Parliament, defense, and taxation. With the consent of the Secretary of State for Northern Ireland, and subject to the veto of Parliament, the Assembly could legislate on *reserved matters*—issues concerning law and order. Finally, the Assembly was free to legislate on *transferred matters*—mainly economic and social matters for which Northern Irish departments were established.

In August 1972 the Northern Ireland Secretary, William Whitelaw, invited all constitutional parties in Northern Ireland to open a dialogue regarding the future of the province. Representatives attended from the Alliance Party, Northern Ireland Labour Party (NILP), and Ulster Unionist Party. The men agreed to three points: the province would remain a part of the United Kingdom for as long as the majority so wished; a provincial assembly and administration would be created; and closer cooperation between the Republic and the province in social and economic matters would be promoted. Towards these ends a Green Paper was released by the

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<sup>24</sup> “No-go” areas had become sections of Catholic ghettos where the RUC could not safely conduct patrols. These areas served as centers of recruitment, organization, and arms concealment for the Provisional IRA.

<sup>25</sup> Downey, 115.

<sup>26</sup> Finn, 77.

Northern Ireland Office on 30 October entitled, *The Future of Northern Ireland*. The paper outlined London's plans for the province that hinged upon two concepts: a new assembly with members from Catholic and Protestant political parties to share the power of an executive with devolved powers, and the "Irish dimension," that is, the inclusion of the Republic in the future of Northern Ireland.

Elections for the new Assembly were held on 28 June 1973. Of the 78 seats available the SDLP won 19, Alliance 8, and the Northern Ireland Labour Party 1, thus totaling 28 pro-power-sharing votes; in the middle, Brian Faulkner's unionists won 22 seats; and the anti-assembly loyalist coalition and anti-Faulkner unionists totaled 28. When the first four parties were combined there were enough pro-assembly votes to assure a power-sharing majority, but it meant that the future of the executive depended upon the cooperation of moderate nationalists and unionists.

By August London was impatient with the lack of progress by Belfast politicians to establish a workable assembly and executive. Warning that they must make rapid and constructive moves towards a political solution, Prime Minister Edward Heath restated London's attitude that "politicians in Northern Ireland should run their own affairs" and that "if a vacuum was left because of a failure to set up an effective political structure it would cause difficulties for the British Government." During talks in Belfast with the Northern Ireland political leaders, Mr. Heath directed them to consider the divisive questions of law and order, internment, the Council of Ireland, and army behavior towards the Catholic community. At the talks Heath also assured unionists that the question of law and order and security rested with Westminster, that there would be no change on "constitutional questions" (i.e., the union was secure), and that there would be no reorganization of the RUC, although changes could be made within the force.<sup>27</sup>

Heath's talks with Belfast politicians had been part of a historic trip to the Republic of Ireland—the first time a British prime minister had visited to the 26 counties since 1922. Dublin interpreted the trip as "a token of the seriousness with which the United Kingdom Government is treating the Irish Republic dimension of the Northern Ireland problem." Despite the goodwill gesture, Britain and Dublin disagreed about when to link the north and south through the Council of Ireland. Heath emphasized the establishment of the executive before the Council, while

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<sup>27</sup> Christopher Sweeney, "Mr Heath Warns Belfast Politicians of Growing Impatience Over Assembly," *Times* (London), 29 August 1973, 1

Dublin and the SDLP felt that the formation of an Ulster executive and a Council of Ireland should happen at the same time "in an effort to build a normal society in the north." Moreover, Dublin wanted to make sure that the council would be invested with "real power" and the opportunity to evolve.<sup>28</sup>

By September 1973 more obstacles were presented: it seemed that even the moderate unionists and nationalists were raising intractable conditions to participation. Unionists raised questions about the Republic's extradition policy and acceptance of the constitutional position of Northern Ireland; the SDLP threatened that it would only participate in the executive if progress was made on the issues of internment, the Council of Ireland, and reforms to the Royal Ulster Constabulary. Finally, after six months of negotiations, a "two-tier compromise" was announced for the formation of an executive between the Unionist, SDLP, and Alliance parties. According to the compromise, six Unionists, four SDLP and one Alliance member would hold voting rights (giving the Unionists a majority), while an additional Unionist, two SDLP and one Alliance member would take up posts without voting rights (thus preventing the Unionists from having an overall majority in membership on the 11 man executive). Part of the agreement was that the executive designate would not go into operation until the governments of the United Kingdom and Ireland met with Northern Ireland party leaders to clarify the forms and functions of the Council of Ireland.

In a debate in the House of Commons following the agreement, the Secretary of State for Northern Ireland, William Whitelaw, explained that formal establishment of the executive depended upon the Council of Ireland because it had been a crucial part of the SDLP's compromise. Furthermore, Whitelaw explained that it was acceptable to the United Kingdom government that the council be confined to representatives from the North and South—no representatives from Westminster. Displeased with the arrangements, anti-assembly unionists and loyalists immediately demanded fresh discussions on the future government. Although divided amongst themselves into a number of splinter groups, anti-power-sharing unionists planned a conference to develop a program of opposition because "This whole thing is a step nearer the South...The loyalists will have a United policy...We see eye to eye on the great issues which united the people of Northern Ireland in 1912 and 1920."<sup>29</sup>

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<sup>28</sup> Denis Taylor, "Satisfaction at Historic Heath Visit Marks Watershed in Dublin Attitudes Towards Britain," *Times* (London), 17 August 1973, 2.

<sup>29</sup> Stewart Tendler and Robert Fisk, "Ulster Petition Against Power-Sharing Planned," *Times* (London), 28 November 1973, 4.

In December, one month before the Executive was scheduled to convene, representatives from the British and Irish governments, members of the Northern Ireland Executive designate, and advisers from the various Northern Ireland parties met for four days at Sunningdale to plan the Council of Ireland.<sup>30</sup> At Sunningdale British Prime Minister Heath outlined five questions to be dealt with: the Irish government's recognition of the constitutional status of Northern Ireland; extradition and an all-Ireland common law enforcement area; political control of the police; powers and functions of the Council of Ireland; and provisions for the finance and operation of the Executive. On the first issue, two statements were issued side-by-side, one saying that Britain would support the majority if they wished to become a part of a united Ireland, the other saying that the Irish government recognized there could be no change in the constitutional status of the north without the consent of the majority. No agreement was reached on extradition and common law enforcement so a Commission of Jurists was suggested to consider proposals and report back at a later time. Control of the police was given to a new Northern Ireland Police Authority appointed by the Secretary of State.

Agreement on the powers and functions of the Council of Ireland were achieved fairly easily by avoiding detail and keeping to clearly defined topics. Areas of common interest to Belfast and Dublin to be studied further included natural resources, agriculture, trade and industry, electricity generation, tourism, roads and transport, public health, and sports, culture and arts. Provisions for the financing of the Council would come from grants by both sovereign governments and studies would be made to find other forms of finance to apply beyond the initial period of operation. The formal Sunningdale Agreement would be signed later in 1974 after further discussions about some technical aspects and ratification by the Assembly and the Irish parliament.<sup>31</sup>

Unionist participants at Sunningdale made sure that some of their concerns were addressed. The Council was to consist of members of the Northern Ireland Executive and the government of the Republic and would have executive power over devolved subjects. A second consultative tier would be drawn from the Republic's House of Commons (the *Dail*) and the

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<sup>30</sup> Whitelaw, who had successfully brokered the executive negotiations, had been rewarded with a top post in the Cabinet and recalled to London on the eve of the conference. To pull out the one man who had participated in almost every significant event since the abolition of Stormont confirmed some suspicions that London was not committed to a successful resolution. Loyalists remarked that Whitelaw would be remembered as the man "who broke his word to Ulster's loyalists." Stewart Tendler, "Ulster Critical of Change on Eve of Talks," *Times* (London), 2 December 1973, 2.

<sup>31</sup> The full text of the communique that was published after the conference appears in Appendix C.

Northern Ireland Assembly. The Council would work on the basis of unanimity to ensure that Northern Ireland interests could not be overruled by the Republic and unionists would not feel that they were being pressured into a United Ireland.

It was undeniable to moderates that progress had been made although there was still hard work ahead on some very contentious topics. Outstanding issues included the Irish constitutional claim to the Northern Ireland territory, the Republic's and the SDLP's insistence that policing in Northern Ireland be reformed to standards acceptable to the Catholic minority, and the matter of extradition whereby anyone in the Republic wanted for an offense associated with the IRA is handed across the border. Overall, though, nationalist participants at the conference were pleased with the plans; their biggest concern was the ability of Brian Faulkner and his party to sell the package to the unionist electorate, especially in the face of rising loyalist hostility.

#### **E. THE RISE AND FALL OF THE NORTHERN IRELAND EXECUTIVE**

When sworn in on 1 January 1974, members of the executive took an oath of loyalty not to the British Crown but to "uphold the laws of Northern Ireland and conscientiously fulfill as a member of the Northern Ireland executive my duties under the Constitution Act, 1973, in the interests of Northern Ireland and its people."<sup>32</sup> Considering the displeasure with which Protestants greeted the plans for power-sharing and the Sunningdale Agreement, a backlash of violence was expected from paramilitaries. Four days after the executive took office anti-Council of Ireland pressure within the Unionist party forced Brian Faulkner to resign as its leader. Gathering his supporters around him, Faulkner faced the daunting task of leading the executive and moderate Protestants while incurring the wrath of loyalists.

The future of the executive depended in no small part on the Dublin government of William Cosgrave. A cooperative Cosgrave could stabilize Faulkner and the executive by producing an extradition agreement and formally recognizing the north as a part of the United Kingdom. Faulkner could be further supported if the SDLP moderated its outspoken opinions about the necessity of the Council of Ireland. A cooperative Assembly was also critical because the power-sharing majority would crumble without the SDLP and Alliance members. Therefore,

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<sup>32</sup> "Ulster: Brave New World With the Same Old Problems," *Economist*, 5 January 1974, 21.



in the face of anti-power-sharing opposition within the Assembly, Faulkner "...had to gamble on calling in liberal support [from the SDLP and Alliance] to save the day for sensible Unionism."<sup>33</sup>

Before January was over Protestant militants, led by Ian Paisley, disrupted the assembly and led a loyalist walkout. More dangerous than the disruption was the possibility of Paisley and other militant leaders encouraging violence by the extremists in the loyalist community. In March the support Faulkner needed from Dublin appeared unlikely when the Republic's Supreme Court declared that the status of Ulster in the Sunningdale Agreement was a recognition of Ulster as a part of the United Kingdom, but it did not imply legal acceptance of it as such. Faulkner refused to work for further progress on the Council of Ireland until Dublin "accepted the right of the people of Northern Ireland to determine their own future."<sup>34</sup>

While Cosgrave and Faulkner argued, Britain prepared for a general election. Ulster had traditionally been a bastion of Conservative party support, but since the imposition of direct rule, loyalists distrusted the British government. To court loyalists, Conservatives campaigned in Northern Ireland with pledges to preserve the union at all cost. Loyalists opposed to the executive planned to use the election as a referendum on the Sunningdale Agreement and the executive. The loyalist coalition landslide amounted to an electoral rejection of power-sharing and the Council of Ireland. At their victory rally loyalists outlined their demands: new elections to the assembly, the end of power-sharing, and rejection of the Council of Ireland.

In May the Northern Ireland assembly voted 44 to 28 in favor of the Sunningdale Agreement. Because the SDLP and Dublin would neither abandon nor modify plans for the Council of Ireland, ratification of Sunningdale was the executive's death knell. In a surprising display of unity, loyalist parties and worker's unions coordinated a devastating general strike in protest that lasted two weeks and brought Ulster to its knees. The executive was suspended, the province returned to direct rule, and Brian Faulkner dissolved the executive with the words: "It is...apparent to us, from the extent of support for the present stoppage, that the degree of consent needed to sustain the executive does not exist at present. Nor, as Ulstermen, are we prepared to see our country undergo, for any political reason, the catastrophe which now confronts it."<sup>35</sup>

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<sup>33</sup> "The Test for Cosgrave," *Economist*, 12 January 1974, 17.

<sup>34</sup> "Retreat from Sunningdale," *Economist*, 9 March 1974, 34.

<sup>35</sup> "So Who Does Rule?" *Economist*, 1 June 1974, 11.

## F. ONE LAST TRY

There would be one more attempt at a negotiated peace in 1974 with what came to be known as the Feakle peace initiative. Feakle was an attempt by Protestant clergymen to understand the IRA instead of attacking them. On 20 December 1974 representatives from the Provisional leadership arrived at a non-descript hotel in the small town of Feakle to meet with representatives of the Protestant religious community. On 22 December the Provos declared a twelve-day cease-fire. Merlyn Rees, the current Secretary of State for Northern Ireland, said that the British government "should not be found wanting in its response" if the cease-fire proved genuine and sustained. The cease-fire was extended to 16 January and the Protestant and Provisional participants continued to talk.

After the first cease-fire lapsed a second one was announced on 9 February. The British government erected a number of "incident centers" around Ulster as bases for local political and community involvement and to monitor the cease-fire. On 10 February the army was directed to "keep a low profile." The cease-fire lasted until October, finally ending because the two sides wanted different things: the IRA demanded a formal British declaration of intent to withdraw from Ireland; the British wanted, and got, a respite from Provisional harassment of the security forces.

In the wake of the Sunningdale rejection, the British government hoped to bring together various factions in a new Constitutional Convention. Elections to the convention were held on 1 May 1975, but anti-Sunningdale loyalists won 47 seats to 31. In reality, "...the British could not really have expected a 'convention' held in the wake of Sunningdale's collapse to do what Sunningdale could not, but it provided at least a political figleaf to cover the real lack of will and hopelessness, where Ireland was concerned..."<sup>36</sup> The Convention convened in May 1975 and after completing its initial report in November was reconvened in January 1976. It was dissolved two months later when no agreement could be reached on a satisfactory system of government to implement.

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<sup>36</sup> Coogan, *The IRA: A History*, 305.

#### **IV. 1977-1996: THE JOINT DECLARATION AND THE IRA CEASE-FIRE**

As John Finn explained in an examination of the Northern Ireland crisis: "the process of constitutional reconstruction requires not the restoration of a constitution or a constitutional order...but rather promotion of the conditions which nonviolent, reasoned debate about the proper reconstruction of a constitutional community can proceed..."<sup>37</sup> The promotion of reasoned debate was the goal of the 1993 attempt at peace. Much had happened in the 20 years since the ignoble end of the power-sharing executive—none more significant than the inclusion of the Republic and the United States in the peace process and the successful politicization of the Irish Republican Army. Both of these events, while not changing the nature of the conflict or proposed solutions, expanded and shifted the direction of the search for peace.

##### **A. REPUBLICAN HUNGER STRIKES AND THE RISE OF SINN FEIN**

In 1977 the Provisional IRA leadership conceded that their struggle to drive the British from Ulster would take decades. The PIRA restated their intention to make the province ungovernable by sapping the will of the British government and public and to make the Catholic community more dependent on the IRA by alienating them from existing institutions. To increase the effectiveness of their campaign the Provisionals underwent a radical strategic and philosophical reorganization, declaring that they would take two approaches—a "long way" and an "open way"—to achieve their goal of British expulsion. The long way approach centered around preparing for years of insurgency and revamping the traditional but vulnerable army of brigades and battalions into the revolutionary cell structure.<sup>38</sup> The open way resulted in the creation of the Provisional Sinn Fein political party to pursue a political struggle and offer people an alternative to violence.<sup>39</sup>

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<sup>37</sup> Finn, 5.

<sup>38</sup> Cells are made up of clandestine groups of Active Service Units (ASU) who carry out the terrorist operations of the PIRA. The backbone of the ASUs are between five and twelve members, according to the requirements of the job, totaling around 80 PIRA members. The organization of cells has increased the efficiency of the PIRA and dropped active membership from perhaps 1500-2000 volunteers to a hard-core of around 300 supported by as many as 3000 sympathizers. ASU members are experienced in the tactics of terrorism and avoiding being caught with evidence. Tom F. Baldy, *Battle for Ulster: A Study of Internal Security* (Washington, DC: National Defense University Press, 1987), 62.

<sup>39</sup> Point Four of the IRA's constitution under "Means" states their aim "to encourage popular resistance, political mobilisation and political action..." Dillon, 483.

The reorganization of the PIRA and the rise of a political wing is the direct result of changes in the British attitude towards fighting political violence. Between 1975 and 1976 the British government refocused their security policy by repealing internment and special category status.<sup>40</sup> In their place the British instituted two new policies for the security forces in Northern Ireland known as "criminalization" and "Ulsterization." Under the concept of criminalization all offenses, no matter their motive, are considered criminal acts and as such are subject to sanction in criminal courts. The policy was intended to neutralize terrorism by refusing to grant special status to political crimes.<sup>41</sup> The success of criminalization was the slow replacement of military personnel by local police in northern communities known as "Ulsterization."<sup>42</sup> However, as internment without trial was discontinued, it became practically impossible to convict suspected terrorists without enough legal and proper evidence. To achieve criminalization Britain erected an apparatus of intelligence gathering, special legislation, and modified courts that drew criticism from civil rights activists and made Northern Ireland one of the most policed societies in the free world.<sup>43</sup>

Criminalization and the repeal of special category status had a tremendous impact within the prison system and, unexpectedly, an even greater impact on the political system. As a precondition to an IRA cease-fire and talks between the IRA and the British government in 1972, special category status was granted to members of the IRA and other "political" prisoners and internees. Special category status gave the prisoners some control of the prison system and was of immense propaganda value to the IRA for it allowed them to describe the conflict on their own terms—they were an army finishing the business of the 1916 Uprising and P.O.W. status meant that the British government accepted the legitimacy of their cause.<sup>44</sup> But with the policy of criminalization, the British government changed the context of the conflict by redefining it in terms of law and order. Militant republicans were called terrorists and stripped of any political dimension to their actions. Anything suggesting that there was a war going on was revamped or

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<sup>40</sup> In 1975 the government ended the policy of internment for two reasons: the first was in an attempt to normalize relations with the Catholic community, the second was in recognition that internment could no longer be justified as a short-term security expedient while waiting for a long-term political settlement that was obviously not forth-coming. Adrian Guelke, "The Ballot Bomb", in *Political Parties and Terrorist Groups*. (London, Frank Cass & Co. Ltd., 1992), 106-107.

<sup>41</sup> Special category status allowed prisoners to live in separate prison compounds according to their paramilitary allegiance, wear their own clothes, drill, hold classes, and behave in most respects like prisoners of war. O'Malley, 48.

<sup>42</sup> Not unlike the American policy of "Vietnamization" in Southeast Asia.

<sup>43</sup> Baldy, 10.

<sup>44</sup> O'Malley, 19.

replaced, including the reduction of the role of the army and emphasis put on "normal policing."<sup>45</sup>

When special category status was eliminated for anyone convicted after March 1976, prisoners immediately protested. The first person convicted under the new rules refused to wear the prison uniform and draped himself in the prison blanket. By September 1976 close to 450 prisoners were "on the blanket." Over the next four years the blanket protest escalated into the "dirty protest" when prisoners refused to wash and smeared their excrement on cell walls or shoved it beneath cell doors. By 1980 the protesters had three choices: escalate their protest, continue the dirty protest indefinitely, or end it.

On 27 October 1980 seven prisoners chose to escalate the protest by starting a hunger strike. British Prime Minister Margaret Thatcher said that there would be no concessions from the government because there was no such thing as political murder. The strike was called off on 18 December but another begun on 1 March 1981 that captured the attention of the world. Initially the second strike had little public enthusiasm, until the nationalist MP for Fermanagh-South Tyrone died unexpectedly. Family members of the hunger strikers organized single-subject elections revolving around prison conditions and nominated the leader of the strike, Bobby Sands, for the Fermanagh-South Tyrone seat. Sands' supporters campaigned on the theme that electing him would save his life because no Prime Minister would allow a member of Parliament to die from starvation. On 9 April Sands was elected to Westminster but the British government continued to refuse to make any concessions.

By the time the hunger strike ended on 3 October 1981, ten men, including Bobby Sands, had died. Although the prisoners had not achieved the reinstatement of special category status, the groundswell of public support in the nationalist community for their campaign had immediate and long-term consequences for the path of the peace process. Recognizing the potential to turn the public disgust with perceived British hard-heartedness into electoral victories, in September 1981 the Provos endorsed Sinn Fein's run for a West Belfast seat in the next Westminster parliamentary general election. The announcement was accompanied by assurances that entering the political fray would complement, not displace, the armed struggle. The Provisional leadership had to carefully explain that by contesting elections it was not following the Official IRA away from violence.<sup>46</sup>

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<sup>45</sup> Ibid.

<sup>46</sup> Guelke, 112.

As intelligence agents of the British and Irish governments improved their skills and cooperated with each other, the IRA's campaign of violence became more difficult to execute and sustain. Furthermore, the IRA realized that it could not survive if violence isolated them from the mass of nationalists. To gain broad nationalist support, leaders in Sinn Fein decided that the effectiveness of the Provo campaign could be jeopardized by the movement's political isolation. In minimizing their isolation, however, the Provos faced a serious dilemma—they had historically rejected the use of constitutional means in favor of the physical force tradition and had characterized constitutional means as subservient to its military campaign. They now had to explain to the militant physical force proponents that this turn to the constitutional electoral process would ultimately strengthen their movement by attracting civilians who would otherwise hesitate to join or support the PIRA.<sup>47</sup>

## **B. THE 1985 ANGLO-IRISH AGREEMENT**

In 1981 Prime Minister Margaret Thatcher's Secretary of State for Northern Ireland, James Prior, tried to break the political impasse in the province by enacting legislation for a new Northern Ireland Assembly—the first assembly since 1975 and the most ambitious plan since power-sharing. Not surprisingly, Sinn Fein boycotted the Assembly, but so did the SDLP. The SDLP refused to join the Assembly when two conditions were not met: a guaranteed power-sharing arrangement with the unionist parties, and some institutional recognition by Britain of the Republic's role in the governance of the north. Without any nationalist support the assembly lacked any real weight or significance for the two years it operated.

In response to Prior's assembly the SDLP announced that it was going to form an interparty conference with the three major parties of the Republic<sup>48</sup> to set forth their ideas of what a united Ireland would look like and the political, constitutional, legal, and economic changes that unification would demand. The New Ireland Forum met from May 1983 to March 1984 when it published a report outlining three possible models for a "new" Ireland: a unitary state governed from Dublin; a federation or confederation of the two parts of Ireland; or some form of joint authority in which Britain and Ireland share in the governance of the north. Margaret Thatcher left no doubt about the reaction of the British Government: "I have made it

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<sup>47</sup> Ibid., 108-109.

<sup>48</sup> Fianna Fail, Fine Gael, and Labour parties participated in the New Ireland Forum. Unionist and Alliance parties turned down their invitations.

quite clear...that a unified Ireland was one thing that was out. A second solution was a confederation system: that was out. A third solution was joint authority: that is out.”<sup>49</sup>

In the aftermath of the hunger strikes Sinn Fein increased their electoral base so much that the SDLP feared Sinn Fein would replace them as the leader of the moderate nationalist community. The SDLP had legitimate fears—in the 1982 general election Sinn Fein won 10.1 % of the vote while the SDLP won only 18.8 % of first preference votes, and the Alliance Party only 9.3%. The Sinn Fein breakthrough shocked mainland public opinion who believed the terrorists could not secure popular support. While Bobby Sands’ victory had been surprising, it was considered by most people in Britain as an aberration, based as it was upon the single issue of prison conditions. Sinn Fein’s continued success not only puzzled analysts but frightened them, since Sinn Fein urged their supporters to consider elections “violence by other means.”<sup>50</sup>

Sinn Fein’s vote increased in the 1983 general elections, again to the detriment of the SDLP. In light of Sinn Fein’s success in 1983, Thatcher finally understood Dublin’s insistence that something had to be done about the north “before Sinn Fein made irreversible gains and displaced the SDLP as the political spokesman for a majority of northern Catholics.”<sup>51</sup> By 1985 Sinn Fein had partially abandoned its abstentionist policy, announcing that any member elected to local councils could take up their seats. By June 1985 Thatcher signaled to the Irish Prime Minister (Taoiseach), Garrett Fitzgerald, that she was prepared to talk.

Coupled with Sinn Fein’s success was the failure of Prior’s assembly, made inconsequential by unionist unwillingness to share power with the SDLP. It was clear to the British that any change to the dynamics in Northern Ireland would have to come from an inter-governmental agreement with Dublin. In a nutshell, “throughout nearly a generation of crisis, the unionist people and their leaders have been unable to grasp the point that either they would have to come to terms with the SDLP at the regional level or face some kind of intervention by the government in Dublin on behalf of the nationalist minority...In this sense, the 1985 agreement is an expression of British exasperation with the stubbornness and sterility of the unionist position.”<sup>52</sup> The Anglo-Irish Agreement signed on 15 November 1985 between Prime Ministers Margaret Thatcher and Garrett Fitzgerald was purposefully vague, for it was a document of intentions, not actions. Nevertheless, its twelve articles, the first plan for Northern

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<sup>49</sup> William V. Shannon, “The Anglo-Irish Agreement.” *Foreign Affairs* (Spring 1986), 863.

<sup>50</sup> A popular slogan was “while not everyone can plant a bomb, everyone can plant a vote.” Guelke, 112-113.

<sup>51</sup> Shannon, 863.

<sup>52</sup> *Ibid.*, 865.

Ireland formulated with no input from unionists, signaled that the Republic was a major participant in developing a political solution for the north. In brief, the Anglo-Irish Agreement stated that:

- A change in the status of Northern Ireland will come only with the consent of the majority of the people of Northern Ireland. If in the future the majority clearly wishes for a change and consent to a united Ireland, legislation will be introduced in the British and Irish parliaments to "give effect" to that wish.
- An Inter-governmental Conference will be established between the two parts of Ireland to deal on a regular basis with political matters; security and related matters; legal matters, including the administration of justice; and the promotion of cross-border cooperation.
- The Conference shall be a framework within which the Irish Government may put forward views and proposals on how to bring about devolution within Northern Ireland in so far as they relate to the interests of the minority community. If sustained devolution should prove impossible to achieve the Conference shall be a framework within which the Irish Government may, where the interest of the minority community are significantly or especially affected, put forward views on proposals for major legislation and on major policy issues.
- The Irish Government may put forward views and proposals on the role and composition of bodies appointed by the Secretary of State for Northern Ireland or Departments concerning human rights, fair employment, and the conduct and administration of the police.
- The Conference shall consider how to improve relations between the security forces and the community (especially making security forces more readily accepted by the nationalist community), and policy issues relating to prisons.
- The Conference shall deal with issues relating to the enforcement of criminal law, in particular how some areas of criminal law may be harmonized between the North and South. The Conference may consider the issues of mixed courts in both jurisdiction, extradition and extra-territorial jurisdiction.
- The two Governments shall cooperate to promote the economic and social development of the areas that "have suffered most severely from the consequences of the instability of recent years, and shall consider the possibility of securing international support for this work."

Through the Anglo-Irish Agreement the British planned to (1) involve the Irish Government more closely and constructively in the crisis management of the North; (2) mobilize Dublin in improved security cooperation, especially in a more coordinated anti-terrorist strategy that included easier extradition between the two countries; (3) significantly affect the Sinn Fein vote by promoting Dublin's role as advocate of Catholics' interests in Northern Ireland; and (4) make the Unionists a "sadder and wiser people, more willing to consider compromise" if their inevitable protests against the agreement failed.<sup>53</sup>

The strength of the Agreement lay in that it was difficult to overthrow. Unlike the power-sharing executive, it did not require unionist cooperation for success and there was no

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<sup>53</sup> D.G. Boyce, *The Irish Question and British Politics, 1868-1996*, (London: MacMillan Press Ltd, 1996, Second Edition), 132.



tangible, local target for Unionist dissidents.<sup>54</sup> It intended to encourage the political parties in Northern Ireland to form a coalition government along the lines of the 1974 Executive—if Unionists dreaded Dublin's intervention in their affairs, their ideal solution was to return to power-sharing. Extremist elements of Ulster Unionism rejected it out of hand and thus helped Britain achieve its goal of isolating Ulster Unionism. In 1987 an IRA bomb attack at a Protestant Remembrance Day service killed 11 and injured 63, but the attack was regarded as "a personal and human tragedy of the kind that happened in Northern Ireland," not as an assault upon Unionists and their traditions. Interpreted as the natural consequence of intransigent unionism, the "...murders could even be blamed, in part at least, on those Unionists whose refusal to compromise had now reaped its own terrible harvest. The people slain at Enniskillen were the victims of Unionist ideology."<sup>55</sup>

On 26 March the Irish government and the Northern Ireland Secretary of State, Peter Brooke, announced that they and the four main constitutional parties of Northern Ireland<sup>56</sup> had agreed on a basis for formal talks to address the issues of transferring substantial power and responsibility to locally elected representatives. In fits and starts the talks lasted from 17 June 1991 to 10 November 1992. The talks proceeded along three "strands": Strand I discussed the relationship between the people of Northern Ireland and the Westminster Parliament; Strand II discussed relationships between the people of Ireland, north and south; and Strand III discussed future relationships between nationalists and unionists. The talks were the first time since 1920 that the two Governments and representatives of all the major constitutional parties in Northern Ireland sat down together and tried to work out the political future of Northern Ireland. When the Unionists signaled they were willing to talk to Dublin politicians about Strand II, they indicated that they wanted to end the political exile unionism had been in since 1985.

### C. THE 1993 DOWNING STREET DECLARATION

Part of the impetus for the Anglo-Irish Agreement was to stem the flow of support for Sinn Féin. Results from the 1986 election appeared to show that it worked—SDLP candidates campaigned in support of the agreement and their combined vote rose 19% above the level reached in the 1983 general election. Support for Sinn Féin, which attacked the agreement as a

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<sup>54</sup> Ibid., 133.

<sup>55</sup> Ibid., 137.

<sup>56</sup> Ulster Unionist Party, Ulster Democratic Unionist Party, SDLP, and Alliance Party.

“sellout” to the British, dropped 25 percent.<sup>57</sup> In 1993, back on its feet as the leading nationalist party, the SDLP broke tradition and started meeting with Gerry Adams, the president of Sinn Fein. Adams and John Hume, the leader of the SDLP, first met in 1988 to see if there was any common ground on a settlement. They resumed their contact in April 1993 at a time when Gerry Adams was in a difficult position “feeling the strain of maintaining [Sinn Fein’s] dual role as revolutionary Republican party and seeker after a popular electoral mandate that would vindicate its claim that its strength rested on the democratic will of the people.”<sup>58</sup> Adams and Hume were interested in constructing a “broader, deeper, sustainable political consensus.” They wanted their dialogue to be seen as part of the wider nationalist dialogue, but for Adams, it was a way to legitimize Sinn Fein as a political player since he was pointedly excluded from the three-strand talks process.

While the Hume-Adams meetings were public knowledge, by March 1993 the British government was secretly meeting with leading Sinn Fein representatives.<sup>59</sup> Although the Anglo-Irish Agreement had strengthened support for constitutional nationalism and received international support, Britain’s overall directionless policy after the three strand talks failed to produce a substantial plan for the future, threatened to leave a vacuum that they feared Hume and Adams would fill. To prevent this, the British and Irish governments issued a joint statement in October 1993 reiterating that the majority in the North must support a constitutional change, that change could not be achieved through violence, and that the renunciation of violence would result in an imaginative response from the two governments.

The two governments had reviewed a report of the Hume-Adams dialogue but believed that any impetus for change must be introduced jointly by the governments.<sup>60</sup> On 15 December 1993 the Irish and British prime ministers released their own version of the Hume-Adams initiative known as the Downing Street Declaration. A summary of the key points of the declaration follow:

- New approaches are required that will serve the interests of Ireland and the UK as partners in the EU.

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<sup>57</sup> Shannon, 869.

<sup>58</sup> Boyce, 144.

<sup>59</sup> Clandestine meetings between the British government and republicans dates back to the 1800s and the first attempt at Home Rule legislation. Despite its long history, it is unpopular with the British public and smacks of hypocrisy in the face of the government’s policy that it does not negotiate with terrorists.

<sup>60</sup> Boyce, 146

- The British Government denies any “selfish strategic or economic interest in Northern Ireland” and agrees that it is for the people of the entire island to decide if they wish to bring about a united Ireland.
- The Irish Government accepts that a united Ireland will be politically unstable if it is rejected by a significant minority of those it governs. Thus, the democratic right to self-determination must be achieved and exercised with the agreement and consent of a majority of the people of Northern Ireland.
- The Republic will work to create a new era of trust and mutual confidence so that “no Northern Unionist should ever have to fear in future that...[the ideal of bringing together all the people of Ireland]...will be pursued either by threat or coercion.”
- In the event of an overall settlement the Irish Government will put forward and support proposals for changes in the Irish Constitution which would fully reflect the principle of consent in Northern Ireland.
- The achievement of peace must involve a permanent end to the use and support of paramilitary violence. Democratically mandated parties committed to exclusively peaceful methods are free to participate fully in dialogue with the Governments.
- The Irish Government will create a “Forum for Peace and Reconciliation” so that its democratic parties may meet to recommend ways in which agreement and trust can be promoted and established.<sup>61</sup>

In response, Sinn Fein asked the British and Irish governments for “clarifications” on the declaration. While some viewed the request for clarification as nothing more than an attempt to draw the governments into public or secret talks,<sup>62</sup> others interpreted it as a way to buy time, a self-protective strategy to ensure that Sinn Fein did not go “so slowly as to become isolated by public opinion in the wake of the huge welcome with the Downing Street Declaration received, nor so fast as to cause divisions in the ranks.”<sup>63</sup>

But the Northern Ireland peace process now included a powerful international player who was prepared to apply pressure where it could. Since Margaret Thatcher’s “out, out, out” rejection of the New Ireland Forum’s proposals, constitutional nationalists had enlisted the support of the United States in the peace process. President Ronald Reagan used his professional relationship and personal camaraderie with Thatcher to register his concern for Anglo-Irish dialogue. In January 1985 the Reagan administration acknowledged that while at Camp David the previous month discussing the Star Wars defense initiative, Reagan had talked to Thatcher about the need for further discussions for a peaceful resolution for Northern Ireland. In February 1985 Reagan went so far as to offer American financial support in the event of an agreed

<sup>61</sup> The full text of the declaration can be found in Appendix D.

<sup>62</sup> “The Fog of War,” *Economist*, 26 February 1994, 55.

<sup>63</sup> Tim Pat Coogan, *The Troubles: Ireland’s Ordeal 1966-1996 and the Search for Peace*. (Boulder, Colorado: Roberts Rinehart Publishers), 375.

political initiative.<sup>64</sup> Now, almost a decade later, America tried again to add its leverage to the peace process, this time by influencing the IRA. In February 1994, after being rejected ten times before, Gerry Adams was granted a temporary visa to visit the United States. The British government had vociferously argued against the visa but White House officials explained that it was "a carrot to coax Mr. Adams to take further steps toward peace..."<sup>65</sup>

Adams' two-day visit to America was a boon of positive publicity for Sinn Fein, but after returning to Northern Ireland Gerry Adams produced no official acceptance or rejection of the declaration. Worse, because the Irish and British governments had discordant views about how to handle the declaration's rejection and whether or not to respond to Sinn Fein's request for clarification, the agreement appeared to be more of a statement of positive principles than the first step in a political settlement.<sup>66</sup> On 9 March the IRA pounded London's Heathrow Airport with a mortar attack, but the declaration was not abandoned by the politicians or the public. On the contrary, on 9 July the Chief Constable of the Royal Ulster Constabulary, Sir Hugh Annesley, held out an incentive to the IRA: reduced patrols in Catholic neighborhoods if the group called a cease-fire.

#### **D. IRA CEASE-FIRE**

During a special party conference on 24 July 1994, Sinn Fein members officially rejected the Downing Street Declaration. Behind the scenes, though, the IRA leadership voted in secret not to reject the Downing Street Declaration and to allow the peace process to go forward. Publicly Sinn Fein had to move carefully for it feared a backlash from republicans if the IRA appeared to be giving up the armed struggle. Some of their concern focused on republicans in the United States, especially members of the Northern Ireland Aid Committee (NORAI) that gave the IRA weapons and money. Gerry Adams and other Sinn Fein leaders decided that the NORAI leadership would have to be briefed about the motives of a cease-fire before it was officially announced so a special visa was arranged for Joe Cahill, the man who had helped create NORAI, to visit America and explain to the group what was about to happen.

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<sup>64</sup> Andres J. Wilson, *Irish America and the Ulster Conflict, 1968-1995*. (Washington, DC: Catholic University of America Press), 246.

<sup>65</sup> "Adams, I.R.A. Partner, Is Being Granted a Visa to Come to the U.S.," *Times (New York)*, 31 January 1994, A5.

<sup>66</sup> "The Fog of War," *Economist*, 55.

Despite the rejection of the declaration Adams suggested that he still regarded it as a welcome step towards a negotiated peace. On 31 August the unbelievable happened—the IRA announced that

Recognising the potential of the current situation and in order to enhance the democratic process and to underline our definitive commitment to its success, the leadership of the IRA have decided that as of midnight Wednesday, August 31st, there will be a complete cessation of military operations....

We note that the Downing Street Declaration is not a solution, nor was it presented as such by its authors. A solution will only be found as a result of inclusive negotiations. Others, not least the British government, have a duty to face up to their responsibilities. It is our desire to significantly contribute with energy, determination and patience.<sup>67</sup>

While some people questioned IRA motives, most of the public greeted the announcement with a combination of joy and skepticism. An official cease-fire had not been called by the IRA since 1975. James Molyneaux, leader of the Ulster Unionist Party, demanded that the IRA state the cease-fire was a “permanent” end to violence. British Prime Minister John Major, who in December 1993 promised to meet with Sinn Fein after three months of peace, was depending on unionist votes in the Commons and backed Molyneaux’s semantic demand. On 13 October the Combined Loyalist Worker’s Council announced a loyalist cease-fire, showing that they, at least, accepted the unstated “permanency” of the IRA truce.

One consequence of the successful IRA cease-fire was that the peace movement had “broadened out, incorporating not only the Republic of Ireland, but also the United States of America.”<sup>68</sup> This was obvious when within a month of the announcement when Gerry Adams was granted a visa to visit America for two weeks. While there in October 1994 he spoke on the telephone with Vice President Al Gore, a conversation that gave him the same status as Unionists in terms of direct contact with the White House. Adams returned to America in December and was formally received at the White House by Tony Lake, President Clinton’s national security advisor. The mission of Adams’ December visit was to get sanction from the U.S. government to openly collect funds for Sinn Fein in America. By asking for this Sinn Fein indicated a commitment to the normal democratic process of raising funds and movement away from the

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<sup>67</sup> “At Last?” *Economist*, 3 September 1994, 55.

<sup>68</sup> Kevin Boyle and Tom Hadden. “The Peace Process in Northern Ireland,” *International Affairs* (April 1995), 149.

surreptitious gathering of money for arms—a move regarded as very positive in Dublin and Washington.<sup>69</sup>

By October Molyneux and Major's stipulation for a "permanent" declaration had quietly died down but was replaced with the more powerful issue of decommissioning IRA weapons. The British Government now demanded that the IRA hand over its weapons before negotiations could begin. Sinn Fein objected for a number of reasons: (1) the IRA could not turn over its weapons since that was tantamount to surrender; (2) decommissioning had never before been mentioned as a precondition for Sinn Fein entering the talks process; and (3) the same demand had not been made of loyalist paramilitary groups. Importantly, senior soldiers, policemen, and armed loyalists agreed that decommissioning weapons before political talks got under way was a bad idea—it could lead to a break down of discipline within the IRA and challenges to the republican leaders who had so far successfully sustained the cease-fire.

#### **E. FRAMEWORK FOR PEACE AND DEMANDS FOR DECOMMISSIONING**

On 4 February 1995 the *Times* of London printed a story about an upcoming Anglo-Irish "framework" for peace. Fearing that the blueprint impression the *Times* created would deter unionists from reading and considering the proposals, Prime Minister John Major made a special broadcast to the nation urging for "time" and "trust."<sup>70</sup> The entire document was released on 22 February and contained the following key points for discussion:

- A new 90-member Northern Ireland Assembly to be elected by proportional representation. The Assembly will have executive and legislative responsibilities over a range of subjects as wide as in 1973.
- A system of Assembly Committees, constituted broadly in proportion to party strengths in the Assembly.
- An all-Ireland body of elected representatives of the Northern Ireland Assembly and the Irish Parliament with executive, consultative and harmonising powers designated by the British and Irish governments.
- The all-Ireland body will have an important role to play, in consultation with the two Governments, in developing an agreed approach for the whole island in respect of the challenges and opportunities of the European Union.
- The Irish government will introduce and support proposals to renounce its constitutional claim to Northern Ireland.
- The British Government will propose changes to its constitutional legislation to acknowledge the right of the people of Northern Ireland to choose their own destiny.

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<sup>69</sup> Coogan, *The Troubles*, 383.

<sup>70</sup> "A Knock at Number Ten," *Economist*, 4 February 1995, 49-50.

- Increased co-operation between London and Dublin through a standing inter-governmental conference.
- A charter of rights for everyone living in Northern Ireland and the Republic to guarantee the protection of civil, political, and cultural freedoms.
- Issues of the Framework document should be comprehensively examined in dialogues between the two governments and democratically mandated political parties from Northern Ireland. The outcome of negotiations will be submitted for democratic ratification through separate referendums in the North and South.

The Framework documents were built upon the three-strand process and the Downing Street Declaration. Not surprisingly, Unionists unfavorably compared the package to the 1973 Sunningdale Agreement, but this time there was no talk of bringing down the government and no encouragement from opposition parties to do so.<sup>71</sup> Like Sunningdale, the document tried to offer comfort to all sides and cast the British and Irish governments in the role of neutral facilitator.

Despite these advances, there was little significant movement throughout 1995 because of the decommissioning issue. The IRA considered the surrender of its arms a breach of the Downing Street Declaration's commitment to admit Sinn Fein as a democratically elected party to talks, "once they proved that they intended to abide by the democratic process." Again America stepped in to nudge the peace process. In March 1995 President Bill Clinton granted Gerry Adams' request for Sinn Fein to raise funds in America, hoping that in return Sinn Fein would move forward on the decommissioning issue. In May an economic summit highlighting American investment opportunities in Ireland was held in Washington that the *Irish Times* reported "...represented the most significant engagement by the United States in the affairs of any European country since President Truman's Marshall Plan after the Second World War..."<sup>72</sup> But in July the White House was still putting pressure on Adams for Sinn Fein to deliver on the issue of decommissioning.

Throughout the stalemate leaders of Sinn Fein met with British government ministers, and eventually Gerry Adams met with the Northern Ireland secretary, Sir Patrick Mayhew. These advances, though, were countered by sectarian violence during the summer marching season. The only thing that saved the peace process from utter collapse was President Clinton's impending visit to Britain and Ireland in December. Although the decommissioning issue was not solved, an eleventh-hour "twin track" agreement was worked out between the British and Irish governments in November whereby preliminary all-party talks would commence while an

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<sup>71</sup> Boyce, 152

<sup>72</sup> Coogan, *The Troubles*, 392.

international commission, chaired by the former American senator George Mitchell, would examine the weapons issue.

## **F. END OF CEASE-FIRE**

Throughout December and January the international committee commissioned to provide an independent assessment of the decommissioning issue held a series of meetings in Belfast, Dublin, London, and New York. The committee listened to dozens of government officials, political leaders, church officials, representatives of organizations and institutions, and received hundreds of letters and telephone calls from members of the public. The report of the international committee was released in January 1996. It began by stating that the committee members "have no stake in Northern Ireland other than an interest in seeing an end to the conflict and in the ability of its people to live in peace...We are motivated solely by our wish to help."<sup>73</sup>

The report concluded that the decommissioning issue was a symptom of a larger problem: the absence of trust. It proposed that to take the gun out of Irish politics demanded that all parties commit and adhere to fundamental principles of democracy and non-violence which they outlined as:

- Democratic and exclusively peaceful means of resolving political issues.
- The total disarmament of all paramilitary organisations.
- Disarmament is verifiable to the satisfaction of an independent commission.
- Renouncement of any effort to use force or threaten to use force to influence the course or the outcome of all-party negotiations.
- Agreement to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree.
- Prevention and elimination of "punishment" killings and beatings.

The body recommended that the parties consider a compromise so that some decommissioning takes place during the process of all-party negotiations, rather than all before or all after. The parties could use this process to build confidence during negotiations and suggest that the decommissioning process represent neither victory nor defeat.

Although the British government agreed to the principles of democracy and encouraged everyone, especially the paramilitaries, to pledge their support, the government did not accept the suggestion of talking before weapons were surrendered. Left where they were two months

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<sup>73</sup> Report of the International Body on Arms Decommissioning, <http://www.nio.gov.uk>, 1.



before and “inviting political assassination if they attempt to argue in favour of continuing with the cease-fire,”<sup>74</sup> on 9 February 1996 the IRA detonated a 1000 pound bomb in London that killed two people and ended the 17 month cease-fire. During the cease-fire 1500 British troops had been withdrawn from the province, border roads closed since 1969 were reopened, and, as promised in July 1994, army patrols in northern towns ceased. When the cease-fire ended 900 troops were immediately returned to the province and all other signs of demilitarization were reversed.<sup>75</sup>

Attempts were made to carry on the peace process—a special election was held in May and those elected would begin preliminary negotiations in June. Despite victories for Sinn Fein in the elections, Gerry Adams was excluded from the talks. On 22 June the IRA set off a bomb in Manchester. Another summer season of Protestant marches in Catholic neighborhoods provoked hostility and intimidation across the province’s villages and towns in an extreme not seen since 1981. On 12 October the IRA detonated two bombs at the British army headquarters in Ulster. Both suspense and hope were gone—the 1993 attempt at peace was over.

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<sup>74</sup> Coogan, *The Troubles*, 405.

<sup>75</sup> With the exception of border roads, which remained open.



## **V. COMPARISON AND ANALYSIS**

A comparison of the 1973 and 1993 attempts shows how the political strategy for a solution has adapted to new challenges, especially the changing face of political terrorism. Analysis of the goals and the players will show what and why the issues for finding a settlement shifted from simply setting up a government to basing the constitutional reconstruction upon the consensus of all political participants, including the political wing of the IRA. Since the next attempt at peace will build upon this last one, a careful reading of its history and a comparison with similar conflicts can focus the search for a settlement on fixing what failed through new, imaginative methods.

### **A. THE GOALS**

The goals of both attempts were to establish a lasting political settlement, implement economic recovery, and end sectarian violence. In both cases that basic issues were the same—security and devolution. Proposals for peace were essentially the same—a power-sharing executive, an assembly elected through proportional representation, and an all-Ireland Council. However, between the two attempts the number and type of key players changed. In addition to the unionist, nationalist, labor and conservative parties, the peace process by 1993 also included the United States and, more importantly, “terrorists” who entered the political fray as representatives of legal political wings such as Sinn Féin.

The 1973 attempt tried to produce a devolved governmental structure while the 1993 attempt tried to talk about one. The high point of the 1973 attempt was the successful implementation of the Northern Ireland executive; the low point was the unionist general strike in opposition to the Sunningdale Agreement. The 1993 attempt started out a step behind where the 1973 attempt ended. Instead of immediately producing a new executive and Council of Ireland, it began with a joint statement between the British and Irish governments that described their mutual desire for a lasting political settlement reached through discussions between constitutional parties. With the publication of the Joint Framework in 1995, the 1993 attempt approached the beginning 1973 point by suggesting a new assembly, a power-sharing executive, and an all-Ireland Council.

The achievements and failings of the two attempts were due in no small part to the times in which they evolved. The Sunningdale Agreement and power-sharing executive were tremendous achievements. Amidst Catholic fears that the discriminatory Stormont system would be reimposed, and Protestant fears that their security and way of life was disintegrating, the Northern Ireland executive brought together two divergent political communities that were sworn enemies. Despite this achievement, it failed because the devastating general strike was more than unionist displeasure with the concept of sharing power with nationalists, it was a coordinated embodiment of their fear of the Republic's encroachment upon Ulster's unionhood with Britain.

By 1993 unionist and nationalist fears were no less apparent, yet they had been tempered by the intervening years. Stormont had not been reimposed, but neither had the union been negated. In addition, terrorist violence had become no less terrible, but it had become somewhat commonplace, reaching, for some, an "acceptable level of violence." Furthermore, the 1985 Anglo-Irish Agreement had politically isolated republican and unionist extremists and formally invited the Republic to participate in the management of the crisis. By the time the Downing Street Declaration was announced unionists and nationalists were willing to come in from political exile. Although Sinn Fein never made it to "all-party" talks, the invitation set a precedent that will hopefully make the organization less disagreeable to the other players when the offer is made again. It is a bittersweet victory for anti-terrorists—Sinn Fein does not renounce the IRA but its leaders demonstrate the ability to understand the necessity of democratic political dialogue and the uselessness of political isolation, and how to maintain an extended cease-fire.

## **B. THE PLAYERS**

After partition in the 1920s Westminster preferred to let Stormont alone, happy that at last Ireland seemed to be taking care of itself. Fifty years later the Irish Question again raised its head, forcing the British government to reconsider the constitutional arrangement that had kept that complicated land from interfering in British politics. After Britain decided that Stormont's law and order reforms and security policies were endangering the lives of British soldiers, direct rule was imposed. Since then, Britain has tried on the roles of Protestant defender and Catholic ombudsman, finding neither a comfortable fit. Instead, since the Sunningdale Agreement, the

British government has tried to take the middle ground, promoting itself as a neutral facilitator, going so far as declaring in 1993 that it has no "selfish or strategic interest" in the troubled province.

British policy is an intricate jumble of colonial obligation and self-preservation. Every step it takes—whether involving itself with the army, or extricating itself by inviting the Republic to help—seems to only draw it deeper into a quagmire. For all the trouble Northern Ireland causes Britain (perhaps because of all the trouble?), the province has never been a number one priority for the government, often times progress being compromised for domestic politics (Whitelaw's transfer to London on the eve of Sunningdale; courting unionists in general elections). However hopeless the situation may seem, though, the 1993 attempt indicates that there has been some maturity in the government's policies over the last twenty years. A comparison of the Sunningdale communique and the Downing Street Declaration show that the basic interpretation of the problem as an inter-communal struggle has not changed, nor has British commitment to that majority in Ulster, nor has the proposed solutions, but the path to a settlement is taking a more sophisticated route.

Over the years a pattern of isolating extremists has become one of Britain's most successful security strategies. Improved intelligence gathering monitors and imprisons suspected terrorists, and redefining political prisoners and as common criminals tries to isolate the terrorist campaign from physical force mythology. Political isolation has also become a powerful tool for the British, although it is a double-edged sword—during the 1994-95 IRA cease-fire Britain failed to follow through on her promise of including Sinn Fein in all-party talks. The British government ended up paying a heavy price for her subterfuge: in the days following the February 1996 bombing a poll in the Republic reported that 61% held the British government responsible for the breakdown of the cease-fire compared to only 23% who blamed the IRA and Sinn Fein. Eighty-four percent of those polled said the British and Irish governments should meet Sinn Fein leaders even though the IRA had ended its cease-fire.<sup>76</sup>

An important change for the British government is its acceptance of outside intervention in the peace process. Not only has it asked for the Republic's help, but since the 1980s has accepted, although unhappily at times, the involvement of the United States. Furthermore, both Britain and Ireland are anxious to protect their position in the European Union—both morally and financially. This is apparent in that the Sunningdale communique, the Downing Street

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<sup>76</sup> "British Government Blamed for End to Peace with IRA," *Independent*, 19 February 1996, 2.

Declaration, and the Framework for Peace documents make explicit references to finding a solution that will work within the European community.

Although the Republic of Ireland participated in the 1973 attempt through designing the Council of Ireland, they were not fully accepted by the British in the management of the crisis until 1985. Any flirtations with integrating Northern Ireland into the British state that may have arisen during the 1972-1974 crisis have been left behind and Britain now leans toward encouraging the eventual unification of the north and south.<sup>77</sup> Over the years, however, the Republic has moderated its unification rhetoric. Since the 1970s, when the Republic entered the European Community and began to make itself an economic competitor in the world community, it has become less enthusiastic about the huge financial and social tasks that would come with the wholesale absorption of Ulster. Yet the Republic is anxious to be involved in the peace process, not only because the citizens feel a heritage with the north, but because the government knows that their own stability relies upon peace in the entire island.

The Anglo-Irish Agreement significantly enhanced the Republic's participation in the peace process by giving it power to affect police, prison, and security policies—traditionally the most sensitive issues in the conflict. In return, by 1995 the Republic was willing to change its constitution in an effort to make unification less coercive and more palatable to Protestants. Since the Downing Street Declaration the Republic publicly accepts the constitutional status of the north as a part of the United Kingdom and repeatedly acknowledges that unification is impossible without the consent of the majority in Ulster.

Ulster Unionist leaders have become more extreme and less cooperative since their power-sharing days in the 1970s. They were isolated throughout the late 1980s after the Anglo-Irish Agreement but this probably helped moderate them since they learned the hard way that political isolation is anathema to influence. Throughout the early 1990s Ulster Unionists tried to hold hostage British Conservative plans for the peace process: "Clearly John Major's Irish policy has been affected by his having parliamentary majority of only nine seats when between them the Unionists control thirteen seats. Seen in this light, the 'decommissioning' issue is the contemporary equivalent of the 'Orange card', and we have seen where that led."<sup>78</sup> Although unionist leaders during the 1973 attempt had the foresight to understand the importance of reform and cooperation with constitutional nationalists, since then the leadership has become

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<sup>77</sup> Boyce, 156.

<sup>78</sup> Coogan, *The Troubles*, 401.

truculent and sanctimonious. This, too, could be attributed to the passage of time. In the face of a political vacuum in 1973 unionists may have been willing to work with nationalists to assure themselves a place in any new political structure. But twenty years have passed in which their trust in the British government has not been restored, but in which they have managed to take advantage of their own kind of influence at Westminster.

The majority of constitutional nationalists are still represented by the SDLP which has matured into a very politically astute organization. The SDLP's relationship has always been closer with the Republic than with London, and since the 1980s its leader, John Hume, has fostered a close relationship with influential politicians in America. The SDLP was hurt by the popularity of Sinn Fein after the 1981 hunger strikes, but managed to recover thanks to their leaders' determination for the creation of the Anglo-Irish Agreement. In spite of competition with Sinn Fein, the SDLP is savvy and courageous enough to talk with Gerry Adams, appreciating more than any other party the importance of Sinn Fein's involvement in the legitimate political system. The SDLP realizes the strength of unionist fears and traditions and has accepted that lasting change does not come easily or quickly in Northern Ireland, but it is well-positioned with public and international support and shows all signs of being around when a solution is finally found.

### **C. NEGOTIATING WITH TERRORISTS**

By far the most important change in the two attempts at peace is the entrance of Sinn Fein as a participant in the process. Although Sinn Fein never entered the all-party talks, is surpassed by the SDLP in electoral strength, and is regarded by some as no more than an insincere mouth-piece for terrorists, its inclusion in democratic dialogue and its maintenance of the cease-fire were the driving forces of the 1993 attempt. Since it appears that a cease-fire followed by all-party talks will continue to be the plan for progress with Tony Blair's new Labour government in Westminster, we should examine why Sinn Fein never made it to the negotiating table. It will be helpful to consider two theories that the British, unionist, and Irish politicians and public are debating—simply, whether or not to negotiate with terrorists.

Two scholars, Robert Clark and Christopher Hewitt, present opposing theories about the efficacy and morality of negotiating with terrorists. Both deal with the same arguments: (1) negotiations give insurgents respectability or legitimacy; (2) insurgent demands are usually

expressed in non-negotiable rhetoric and so extreme that negotiations can never have a positive or productive outcome; and (3) cease-fires that may result from successful negotiations are only temporary and benefit the insurgents by improving their public image and giving them time to regroup and gather strength for the next round of violence.<sup>79</sup>

Clark chronicles negotiations between the Basque separatist organization, ETA, and the Spanish government in his book, *Negotiating with ETA: Obstacles to Peace in the Basque Country, 1975-1988*. He points out that not since World War II has a single case of an armed insurgency in Europe ended through negotiations. Despite this, Clark argues that there are some very good reasons why a settlement negotiated with terrorists is a good idea. First, even if the cease-fire is temporary, it is an opportunity to reduce the level of violent emotions and can help build mutual trust and confidence between the parties. Furthermore, successful negotiations strengthen the moderates on both sides of the conflict. Pragmatically, Clark points out that if the government cannot suppress the insurgents or win over the bystanders, negotiations may be the only realistic way out of the violence: "In other words, negotiations may be the best solution to insurgency, not because it is such a good option, but simply because all the others are so bad."<sup>80</sup>

Hewitt, on the other hand, argues that negotiating a cease-fire not only damages the legitimacy of the government, but it does not have any long-term benefits to concluding a conflict. In his study, *The Effectiveness of Anti-Terrorist Policies*, Hewitt acknowledges that politicians in democratic societies are tempted to negotiate a settlement with terrorists for three reasons: (1) the cultural ethos of western societies emphasize the give and take of negotiations rather than the use of force to resolve conflicts; (2) terrorists leaders are the only ones who can stop terrorism with a simple command; and (3) negotiations are intrinsically desirable because they are usually accompanied by a truce.<sup>81</sup>

But, according to Hewitt, truces are often defined in a very restricted way that disguises their utility to the general public. For example, he points out that the IRA truce in February 1975 was between the terrorists and the British Army. The Provisionals continued to attack loyalists and members of other groups. Hewitt argues that this makes it "difficult to justify a 'truce' which merely results in a redirection of terrorist attacks."<sup>82</sup> Before responding to a cease-fire

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<sup>79</sup> Robert P. Clark, *Negotiating with ETA: Obstacles to Peace in the Basque Country, 1975-1988*. (University of Nevada Press, Reno, NV, 1990) 2.

<sup>80</sup> Ibid., 2-3.

<sup>81</sup> Christopher Hewitt. *The Effectiveness of Anti-Terrorist Policies*. (Lanham, Maryland: University Press of America, 1984), 35-36.

<sup>82</sup> Ibid., 37.



offer Hewitt recommends that the government consider the extent to which terrorist leadership can control its followers and the reaction of other terrorist groups. In some cases one terrorist group increases its activity while the other is dormant, and the longer a truce holds, the more likely is a splintering of the militants from the group.

Hewitt supports the theory that terrorist demands are too radical and non-negotiable to lead to conflict resolution, especially in cases such as the IRA when the group is demanding a change in national sovereignty. Cease-fires invariably break down, leaving the government to deal with a terrorist army that used the truce to rebuild its military strength.<sup>83</sup> Hewitt's final analysis concludes that negotiating a truce with terrorists is a short-sighted policy that will not lead to resolution of the conflict and that protracted cease-fires benefit of the terrorists rather than the government.<sup>84</sup>

Although Hewitt may be correct in his analysis of the February 1975 IRA truce—that it was a limited truce that did not prevent the IRA from continuing its violence against civilians and loyalist paramilitaries, and that the IRA emerged militarily stronger after the truce—there is no evidence that these arguments can be applied to the 1994 IRA cease-fire. On the contrary, with very few exceptions, all hostilities between the IRA, the police, the army, and loyalist paramilitary groups ceased for the 17-month period. Violence that did occur was likely caused by both republican and loyalist splinter groups and individuals unhappy with the decision to lay down the gun.

There is evidence that Robert Clark's arguments for negotiating a settlement have more beneficial outcomes. According to an article in the *Independent* shortly after the IRA broke its cease-fire "Peace has shifted public opinion, softened old enmities, broken down divisions between communities. The desire to press on with these changes has been demonstrated over the past 10 days with peace rallies in Northern Ireland calling for peace."<sup>85</sup> Furthermore, the end of the cease-fire did not decrease public and political support for a solution through the talks process; rather, it appeared to increase support for it:

The IRA cease-fire of August 1994 was widely seen as vindication and justification of the policy of holding dialogue with elements such as Sinn Fein. In its wake many Unionists said privately that talks with Sinn Fein were inevitable, but Unionist political leaders favoured delay....That collapse [of the cease-fire] seems if anything to have increased the numbers favouring talks. While Unionist leaders continue to exude

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<sup>83</sup> Ibid., 40.

<sup>84</sup> Ibid., 41.

<sup>85</sup> "A Referendum for Peace." *Independent*, 20 February 1996, 14.

resistance to talks, elements in the Protestant community as disparate as senior businessmen, police officers and loyalist paramilitaries say there must be discussion.<sup>86</sup>

If more dialogue is indeed the way the process will proceed, it is best to consider how it can get past the current impasse.

#### D. THIRD PARTY MEDIATION

Acceptance of the United States and international committees in the peace process is a significant change in the British attitude and bodes well since conflict resolution theory encourages the use of third parties as mediators. Thomas Princen studies third party mediation in his book *Intermediaries in International Conflict*. As if written especially for Northern Ireland, Princen points out that "nationalist demands for autonomy and self-determination rooted in ethnic sentiments or economic deprivation make military intervention costly and often counterproductive. But if military intervention is increasingly unattractive, other forms of intervention, forms that rely less on force and more on persuasion and bargaining, become increasingly attractive."<sup>87</sup> The use of intermediaries to influence the facilitation of a settlement is an attractive and effective form of intervention.

The role of intermediary is not to change the balance of power or impose solutions, but to gain the parties' acceptance and intervene in the affairs of states to effect change. Intermediaries may be large or small, state and non-state, and their subtle processes may involve the use or threat of force and offers of aid (or threats to withhold aid). Their impact comes not from their position as a great power, but upon their position of being in the middle.<sup>88</sup> Intermediaries are valuable because official negotiations are conducted by heads of states and politicians as much as by professional diplomats. This means that the negotiations are subjected to the pressures of public opinion and domestic politics. Politicians' first priority is to gain favor

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<sup>86</sup> David McKittrick, "Momentum for Talks Builds as Major Joins 'Right' Side," *Independent*, 1 March 1996, 2.

<sup>87</sup> Thomas Princen. *Intermediaries in International Conflict* (Princeton, New Jersey: Princeton University Press, 1992). 3-4

<sup>88</sup> *Ibid.*, 6.

at home, not reach mutually accommodative agreements and the mass media play a role in the grandstanding and tough talk that often dominates these negotiations.<sup>89</sup>

Third parties are sought as legitimating agent. It is their role to persuade the other side of their rightful position, and persuade one's constituency of the necessity of concession when compromise is necessary. They are expected to be trustworthy, neutral and impartial. As a result, intermediaries, in the process of facilitating communication, may inadvertently allow the disputing parties to gain a greater understanding of the other side's need and fears and their willingness to change or accommodate.<sup>90</sup>

Clearly mediators have been used throughout the troubles, ranging from religious groups (clergymen who worked for the Feakle peace initiative) to superpowers (the United States), to international bodies (the Mitchell Commission that investigated de-commissioning issues). In the wake of the peace accords for the Middle East and Bosnia, brokered in part by the United States, attention turned naturally to Northern Ireland as people optimistically compared the intractable conflicts. Undoubtedly third party intervention broke new ground and contributed to the peace agreements, but attempts at mediation in Northern Ireland have yet to prove successful in concluding a formal political settlement. However, Senator Mitchell's decommissioning committee is a positive indication that mediators may be used more in the future and could be an effective option for enhancing future negotiations.

## **E. LEARNING FROM OTHERS**

In Robert Clark's book about ETA and the Spanish government he identifies three types of obstacles to negotiations. The ETA case bears striking resemblance to Northern Ireland, and as future attempts at peace in both countries will involve the negotiating process, it is worthwhile to consider how Clark analyzes the Basque situation. An objective comparison of the two could reveal useful patterns of behavior on the part of the terrorists and the governments, as well as inspire options for future peace attempts.

The first obstacle Clark identifies as "contextual." He asks that all parties recognize that they are operating in an extremely complex institutional environment with many contending

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<sup>89</sup> "The result is that public pronouncements are directed more to constituencies back home than to negotiators across the table; they neither speak to each other nor do they genuinely listen. In short, effective communication and realistic empathy are rarities in modern international negotiators." Ibid., 8.

<sup>90</sup> Ibid., 11.

political forces and groups whose agendas and priorities are constantly shifting. It is difficult for paramilitary leaders whose priorities may be a negotiated settlement to move at the right pace—to deal with disruptive anti-truce elements without appearing too conciliatory toward their enemies. He suggests that those willing to arrange a cease-fire keep the initial agenda general and limited to administrative and technical questions until talks firmly begin. Once talks are underway no item should be rejected out of hand. Pro-truce elements should defuse their opposition by refusing to say certain acts will destroy the talks—for example, by stating that an armed attack will suspend talks, anti-truce forces have the power to torpedo negotiations by committing that act.<sup>91</sup> Clark believes that skilled intermediaries are crucial to the successful conduct of negotiations to build trust and confidence between the parties. Furthermore, the press must behave responsibly and exercise self-control in their coverage of negotiations. The media should recognize the benefits of keeping negotiations out of the public eye, at least at the beginning.<sup>92</sup>

The second type of obstacle Clark identifies as “violence.” He points out that talks with ETA have broken down because of a disagreement over whether the cease-fire should come before, during, or after the resolution of the issues. Like the British, the Spanish government says that it will not negotiate while the killing is going on. The problem is that both sides want to negotiate from a position of strength, not weakness. Clark points out that “it would...be helpful to remember that the very nature of armed struggle makes it impossible to renounce the use of force before securing one’s aims. As numerous ETA strategists have pointed out, the only thing they have to offer at the bargaining table is their ability to turn off the violence.”<sup>93</sup>

Clark described the third obstacle as “political v. technical”. Technical issues are open for discussion with ETA but political ones cannot be placed on the agenda. A “two-track” approach is one way to differentiate between the sets of issues. It was developed because the Spanish government considers political negotiations with ETA unthinkable, but will negotiate with a political party closely tied to the separatists. Track one deals with amnesty arrangements for convicted insurgents, public order, law enforcement, security, the administration of justice, and measures to ensure the complete cessation of ETA-related acts of violence. One sensitive question involves the decommissioning of ETA’s weapons. Clark points out that it is difficult to

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<sup>91</sup> Clark, 228.

<sup>92</sup> Ibid., 230.

<sup>93</sup> Ibid., 233.

police decommissioning and it seems highly unlikely that ETA would ever agree to disarm, at least during the early stages of negotiations.

Track two political issues challenge the legitimacy of existing constitutional arrangements, so they must be discussed among the widest possible array of political parties and interested groups. Because the presence of ETA would call into question the legitimacy of the state, the insurgents are represented by intermediaries who are trusted by the rebels and regarded as legitimate participants in civil society.<sup>94</sup> The potential for success lies in the separation of the negotiations into two venues, two agendas, and two negotiating bodies, thus allowing parties in conflict to negotiate with one another without actually appearing to do so.<sup>95</sup>

In one way or another the 1993 attempt at peace in Northern Ireland dealt with all of these issues. Although neither the Northern Ireland nor the Basque dilemma has been resolved, with so much in common studying the each other's achievements and failings can hopefully teach the other one important lessons. In making a comparative study of political violence it is paradoxical to say that each conflict is essentially the same, because what could be more unique and more personal than the battle between the terrorist and the state? Yet important trends in behavior, expectations, and reactions can be discovered by reviewing histories and attempts at peace and categorizing them by their successes and failures, their motivations and their consequences. It is easy to understand why Northern Ireland provides so much fodder for romance about freedom-fighters and independence because the conflict contains all of the fundamental elements for exciting fiction. But it is the duty of scholars, politicians, and statesmen to put the fiction on the shelf and to take up in its place the tally of over 3000 people who have died in Northern Ireland in the last 27 years.<sup>96</sup>

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<sup>94</sup> Ibid., 236.

<sup>95</sup> Ibid., 236.

<sup>96</sup> See Appendix B for a full accounting of the deaths in Northern Ireland since 1969.



## VI. CONCLUSION

The circle remains to be squared, but a comparison of the 1973 and the 1993 attempts at peace shows that the challenge has not lain dormant these past twenty years. However, it does reveal that in many ways in Northern Ireland, "the more things change, the more things stay the same."

The latest phase of the troubles started in 1969 with the Catholic civil rights movement, but by 1973 there was an obvious shift in the circumstances. Protests between groups of civil rights demonstrators were replaced by the less organized but bloodier inter-communal violence of republican and loyalist paramilitaries. The abolishment of Stormont left a political vacuum and the crisis of a threatened union. Because the 1973 attempt at peace failed to restore some form of self-government and order to Northern Ireland, the province reverted to direct rule from Westminster.

By 1993 there had been another obvious shift in the circumstances in Northern Ireland. Where the Republic of Ireland had been guardedly included in the creation of a political settlement in 1973, it was now formally invited and encouraged to partake in the management of the crisis. The junior SDLP party, only three years old during the power-sharing experiment, was now the senior constitutional nationalist party and an adroit player, working hard to encourage the participation of Sinn Fein and the United States in the peace process. Most importantly, Sinn Fein, the legal and political wing of the Irish Republican Army, had an electoral base that qualified it as a constitutional participant in the process.

Yet the same historical issues continue to haunt Northern Ireland and every attempt at peace. The fears of the "double minority" have not changed much over the last 300 years, nor have the historical issues upon which these fears are based: discrimination, partition, and violence. Since 1973 the structure of a proposed political arrangement has remained very stable—a power-sharing executive, an assembly elected by proportional representation, an extensive committee structure within the assembly to administer devolved responsibilities, and the renunciation of violence. What has changed are the players, their roles, and their attitudes. In addition to adding Sinn Fein, third parties such as the United States and independent international committees have entered the ring in an attempt to mediate the conflict. During the late 1980s Britain successfully isolated extremists in the unionist and republican parties so that by the 1993 attempt they had moderated themselves enough to support the plan for multi-party talks (if they could make it to the table).

There are competing opinions on whether the future of Northern Ireland depends upon the decisions of British politicians,<sup>97</sup> or upon the two sides in Ulster resolving their differences.<sup>98</sup> The reality is that a final resolution depends upon a combination of the two. While Britain, Ireland, and the constitutional parties can create a political settlement, it will not last until the unionists and the nationalists accept the plan. Paul Wilkinson in his book *Terrorism and the Liberal State*, argues that "the real secret of the inner political resilience and adaptability of liberal democracies, so often overlooked, is their capacity to tolerate, respond to, and harness the forces of popular protest and discontent."<sup>99</sup> Progress has been made in Northern Ireland, the most thrilling demonstration being the IRA and loyalist cease-fires. The loyalist cease-fire remains in operation and the abandonment by the IRA of theirs does not preclude another one in the future.

No attempt at peace in Northern Ireland really ends. As this comparison shows, the 1993 attempt was built upon the solutions proposed in 1973. Every attempt builds upon the previous one and the most effective attempt will depend upon players who can recognize shifts in the priorities and abilities of the other players to control their followers and deliver their promises. By expanding the search for peace to third party intermediaries, cultivating inter-communal cooperation through educational and police reforms, and paying attention to the attempts being tried in similar situations such as the Basque region, the circle may finally be squared. What is impossible geometrically is not impossible psychologically.

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<sup>97</sup> "...whatever the importance of Irish and American involvement in what has become known as the Peace Process, it is still the case that, as so often in the past, the fate of Ireland hangs ultimately on the decisions of British politicians." Boyce, 161.

<sup>98</sup> John Darby. *Northern Ireland: Managing Difference* (London: Minority Rights Group, 1995), 32-34.

<sup>99</sup> Paul Wilkinson, *Terrorism and the Liberal State* (New York: New York University Press, 1986), 26.



## APPENDIX A: POLITICAL PARTIES AND PARAMILITARY ORGANIZATIONS

### POLITICAL PARTIES

**Alliance Party** Non-sectarian, moderate unionist party that draws between 8 and 10% of the vote in Northern Ireland.

**Combined Loyalist Military Command (CLMC)** Emerged in 1991 as a shadowy umbrella organization for principal loyalist paramilitary groups, including the UDA/UFF, UVF, and Red Hand Commando. Announced the 1994 loyalist cease-fire through PUP and UDP representatives.

**Conservative** One of the main political parties of Britain. Associated with right-of-center politics and historically allied with Unionist parties in Northern Ireland.

**Dail Eireann** The parliament of the Republic of Ireland known simply as "the Dail."

**Democratic Unionist Party (DUP)** Most militantly Protestant and loyalist of the two mainstream unionist parties. Founded and led by the Rev. Ian Paisley since 1971. Draws between 13 and 18% of the Northern Ireland vote.

**Fianna Fail** Largest and most powerful of the Irish political parties. Founded in 1926 by Eamon de Valera after a split with Sinn Fein. Name in Gaelic means "Warriors of Destiny."

**Fine Gail** Second largest political party in Republic. Formed in 1933.

**Irish National Liberation Army (INLA)** An IRA splinter group consisting mostly of ex-Provisionals and ex-Officials. Active mostly in the late 1970s and early 1980s. Only important group not to declare a cease-fire in 1994.

**Irish Republican Brotherhood** A revolutionary independence movement established in 1858. Reorganized after failed 1916 Easter Rising to become the leadership cadre of the IRA.

**Irish Republican Socialist Party (IRSP)** Legal political wing of the Irish National Liberation Army (INLA). Working-class, rigidly socialist, negligible electoral support, critical of the 1994 IRA cease-fire.

**Labour** The other main political party of Britain. Associated with labour unions and left-of-center politics. Also the name of the third largest political party in the Irish Republic.

**Official Irish Republican Army** Made up mostly of members who declined to join the Provos (the Provisional IRA) in 1970. Maintains the IRA goal of a socialist 32-county Ireland. Declared a cease-fire in 1972 and has been largely dormant since. Political wing known as the Workers Party has negligible electoral support.

**Progressive Unionist Party (PUP)** One of the two "loyalist fringe parties," considered to represent the Ulster Volunteer Force (UVF) loyalist paramilitary. Working-class, pragmatically socialist. It has negligible overall electoral support but is influential on account of some high-profile constituents.

**Provisional Irish Republican Army (PIRA)** Major force of the IRA and principal republican paramilitary organization. Formed in 1970 by militants who split from the Official IRA. Advocates the use of force to create a 32-county socialist state.

**Provisional Sinn Fein** Founded in 1905, Sinn Fein has gone through a number of transformations to become the legal and political party of the Provisional IRA. In Gaelic the name means "ourselves alone." Draws between 10 and 12% of the Northern Ireland vote; less than 2% of the Republic's vote. Gerry Adams has been party president since 1983.

**Social Democratic Labour Party (SDLP)** Largest nationalist party in Northern Ireland, it draws about 22% of the vote. Created in 1970 from the remnants of a weakened Nationalist Party, the SDLP promotes the necessity of majority consent for a united Ireland and the nonviolent political concept of "constitutional nationalism." Primarily Catholic. John Hume has been its leader since 1979.

**Stormont** Two meanings:

- 1) Stormont Castle, the building on the outskirts of Belfast from which the province has been administered since 1932.
- 2) Reference to the Protestant and Unionist controlled parliament that ruled Northern Ireland from 1921 to 1972.

**Ulster Defense Association (UDA)/Ulster Freedom Fighters (UFF)** The major Protestant paramilitary group formed in 1970 from local vigilante groups. Outlawed in 1992 but alleged to have links with the DUP and the UDR. The UFF has claimed responsibility for several sectarian murders.

**Ulster Defence Regiment (UDR)** A security force formed in 1970 to replace the old, infamously prejudicial B-Special Corps. Heavily criticized and placed under British Army control in 1992.

**Ulster Unionist Party (Official Unionists)** Largest political party in Northern Ireland. Draws between 30 and 34% of the vote. One of the two mainstream unionist parties—compared to the DUP it has a more moderate view of unionism.

**Ulster Volunteer Force (UVF)** Second largest loyalist paramilitary organization after the UDA/UFF. Founded in 1965 it takes its name from the illegal army raised in 1912 to fight Irish Home Rule. Like the IRA, the UVF is a clandestine operation. Has close ties to the Red Hand Commando, a small ruthless loyalist paramilitary group.

**Westminster** Another name for the Parliament of the United Kingdom that meets at Westminster Hall. Also referred to as Whitehall.

## APPENDIX B: DEATHS IN NORTHERN IRELAND, 1969-1996

Year	RUC	RUC Reserve	Army	UDR / RIR <sup>a</sup>	Civilians <sup>b</sup>	TOTAL
1969	1	0	0	0	12	13
1970	2	0	0	0	23	25
1971	11	0	43	5	115	174
1972	14	3	103	26	321	467
1973	10	3	58	8	171	250
1974	12	3	28	7	166	216
1975	7	4	14	6	216	247
1976	13	10	14	15	245	297
1977	8	6	15	14	69	112
1978	4	6	14	7	50	81
1979	9	5	38	10	51	113
1980	3	6	8	9	50	76
1981	13	8	10	13	57	101
1982	8	4	21	7	57	97
1983	9	9	5	10	44	77
1984	7	2	9	10	36	64
1985	14	9	2	4	25	54
1986	10	2	4	8	37	61
1987	9	7	3	8	66	93
1988	4	2	21	12	54	93
1989	7	2	12	2	39	62
1990	7	5	7	8	49	76
1991	5	1	5	8	75	94
1992	2	1	4	2	76	85
1993	3	3	6	2	70	84
1994	3	0	1	2	55	61
1995	1	0	0	0	8	9
1996 <sup>c</sup>	0	0	0	0	13	13
TOTALS	196	101	449	203	2260	3209

<sup>a</sup> On 1 July 1992 the Royal Irish Rangers and the Ulster Defence Regiment were amalgamated to form the Royal Irish Regiment. The 1992 figure relates to Royal Irish Regiment (Home Service) personnel only.

<sup>b</sup> Includes suspected terrorists

<sup>c</sup> Up to 30 November 1996

Data provided by the Northern Ireland Office web site at <http://www.nio.gov.uk/secintro.htm#army>



## **APPENDIX C: TEXT OF COMMUNIQUE AFTER SUNNINGDALE CONFERENCE**

1. The conference between the British and Irish Governments and the parties involved in the Northern Ireland executive (designate) met at Sunningdale on December 6, 7, 8, and 9, 1973.
2. During the conference each delegation stated their position on the status of Northern Ireland.
3. The Taoiseach [Prime minister of the Republic of Ireland] said that the basic principle of the conference was that the participants had tried to see what measure of agreement of benefit to all people concerned could be secured. In doing so all had reached accommodation with one another on practical arrangements. But none had compromised and none had asked others to compromise in relation to basic aspirations. The people of the republic, together with a minority in Northern Ireland, as represented by the SDLP delegation, continued to uphold the aspirations towards a united Ireland. The only unity they wanted to see was the unity established by consent.
4. Mr Brian Faulkner said that delegates from Northern Ireland came to the conference as representatives of apparently incompatible sets of political aspirations who had found it possible to reach agreement to join together in government because each accepted that in doing so they were not sacrificing principles or aspirations. The desire of the majority of the people in Northern Ireland to remain part of the United Kingdom, as represented by the Unionist and Alliance delegations, remained firm.
5. The Irish Government fully accepted and solemnly declared that there could be no change in the status of Northern Ireland until a majority of the people of Northern Ireland desired a change in that status.

The British Government solemnly declared that it was, and would remain, their policy to support the wishes of the majority of the people of Northern Ireland. The present status of Northern Ireland is that it is part of the United Kingdom. If in future the majority of the people of Northern Ireland should indicate a wish to become part of the united Ireland, the British Government would support that wish.

6. The conference agreed that a formal agreement incorporating the declarations of the British and Irish Governments would be signed at the formal stage of the conference and registered at the United Nations.
7. The conference agreed that a Council of Ireland would be set up. It would be confined to representatives of the two parts of Ireland with appropriate safeguards for the British Government's financial and other interests. It would comprise a council of ministers with executive and harmonising functions and a consultative assembly with advisory and review functions. The council of ministers would act by unanimity and would comprise a corps of seven members of the Irish Government and an equal number of members of the Northern Ireland Executive with provision for the participation of other non voting members of the Irish Government and the Northern Ireland Executive for administration when matters within their departmental competence were discussed. The council of ministers would control the functions of the council, the chairmanship would rotate on an agreed basis between representatives of the Irish Government and of the Northern Ireland Executive. Arrangements would be made for the location of the first meeting and the location of subsequent meetings would be determined by the council of ministers. The consultative assembly would consist of 60 members, 30 members from the Dail Eireann chosen by the Dail on the basis of proportional representation by the single transferable vote and 30 members from the Northern Ireland Assembly chosen by that assembly and also on that basis. The members of the consultative assembly would be paid allowances. There would be a secretariat to the council which would be kept as small as might be commensurate with efficiency in the operation of the council.

The secretariat would service the institutions of the council, and would under the council of ministers, supervise the carrying out of the executive and harmonising functions and the consultative role of the council. The secretariat would be headed by a secretary general. Following the appointment of a Northern

Ireland Executive, the Irish Government and the Northern Ireland Executive would nominate their representatives to a council of ministers. The council of ministers would then appoint a secretary general and decide upon the location of its permanent headquarters. The secretary general would be directed to proceed with the drawing up of plans for such headquarters. The council of ministers would also make arrangements for the recruitment of the staff of the secretariat in a manner and on conditions which would, as far as is practicable, be consistent with those applying to public servants in the two administrations.

8. In the context of its harmonizing functions and consultative role the Council of Ireland would undertake important work relating, for instance, to the impact of EEC membership. As for the executive functions, the first step would be to decide and agree these in detail. The conference therefore decided that, in view of the administrative complexities involved, studies would at once be set in hand to identify and, prior to the formal stage of the conference, report on areas of common interest in relation to which a Council of Ireland would take executive decisions and in appropriate cases be responsible for carrying those decisions into effect. In carrying out these studies and also in determining what should be done by the council in terms of harmonizing, the objectives to be borne in mind would include the following:

- (1) To achieve the best utilization of scarce skills, expertise and resources;
- (2) To avoid in the interest of economy and efficiency unnecessary duplication of effort; and
- (3) To ensure complementary rather than competitive effort where this is to the advantage of agriculture, commerce and industry.

In particular these studies would be directed to identifying, for the purposes of executive action by the Council of Ireland, suitable aspects of activities in the following broad fields: (a) exploitation, conservation and development of natural resources in the environment; (b) agricultural matters (including agricultural research), animal health, and operational aspects of the common agricultural policy, forestry and fisheries; (c) cooperative ventures in the field of trade and industry; (d) electricity generation; (e) tourism; (f) roads and transport; (g) advisory services in the field of public health; (h) sport, culture and the arts. It would be for the Oireachtas and the Northern Ireland Assembly to legislate from time to time as to the extent of functions to be developed to the Council of Ireland. Where necessary, the British Government will cooperate in this devolution of functions. Initially, the functions to be vested would be those identified in accordance with the procedures set out above and decided at the formal stage of the conference to be transferred.

9. (i) During the initial period following the establishment of the council, the revenue of the council would be provided by means of grants from the two administrations in Ireland toward agreed projects and budgets, according to the nature of the service involved.

(ii) It was also agreed that further studies would be put in hand forthwith and completed as soon as possible of methods of financing the council after the initial period which would be consonant with the responsibilities and functions assigned to it.

(iii) It was agreed that the secretariat of the Council of Ireland would be shared equally and other services would be financed broadly in proportion to where expenditure or benefit accrues.

(iv) The amount of money required to finance the council's activities will depend upon the function assigned to it from time to time.

(v) While Britain continues to pay subsidies to Northern Ireland, such payments would not involve Britain participating in the council. Its being accepted, nevertheless, that it would be legitimate for Britain to safeguard in an appropriate way financial involvement in Northern Ireland.

10. It was agreed by all parties that persons committing crimes of violence, however motivated, in any part of Ireland, should be brought to trial irrespective of the part of Ireland in which they are located. The concern which large sections of the people of Northern Ireland felt about this problem was in particular

forcefully expressed by the representatives of the Unionist and Alliance parties. The representatives of the Irish Government stated that they fully understood and fully shared this concern. Different ways of solving this problem were discussed; among them were the amendment of legislation operating in the two jurisdictions on extradition, the creation of a common law enforcement area in which an all Ireland court would...jurisdiction, and the...of the jurisdiction of domestic courts so as to enable them to try offences committed outside the jurisdiction. It was agreed that problems of considerable legal complexity were involved and that the British and Irish Governments would jointly set up a commission to consider all the proposals put forward at the conference and to recommend as a matter of extreme urgency the most effective means of dealing with those who commit these crimes. The Irish Government undertook to take immediate and effective legal steps so that persons coming within their jurisdiction and accused of murder however motivated, committed in Northern Ireland, will be brought to trial and it was agreed that any similar reciprocal action that may be needed in Northern Ireland be taken by the appropriate authorities.

11. It was agreed that the council would be invited to consider in what way the principles of the European convention on human rights and fundamental freedoms would be expressed in domestic legislation in each part of Ireland. It would recommend whether further legislation or the creation of other institutions, administrative or judicial, is required in either part of embracing the whole of Ireland to provide additional protection in the field of human rights. Such recommendations could include the functions of an Ombudsman or commissioner for complaints, or other arrangements of a similar nature which the Council of Ireland might think appropriate.

12. The conference also discussed the question of policing and the need to ensure public support for and identification with the police service throughout the whole community. It was agreed that no single set of proposals would achieve these aims overnight and that time would be necessary. The conference expressed the hope that the wide range of agreement that had been reached and the consequent formation of a power sharing executive, would make a major contribution to the creation of an atmosphere throughout the community where there would be widespread support for and identification with all the institutions of Northern Ireland.

13. It was broadly accepted that the two parts of Ireland were to a considerable extent interdependent in the whole field of law and order and that the problems of political violence and identification with the police service cannot be solved without taking account of that fact.

14. Accordingly, the British Government stated that as soon as the security problems were resolved and the new institutions were seen to be working effectively, they would wish to discuss the devolution of responsibilities for normal policing and how this might be achieved with the Northern Ireland executive and the police.

15. With a view to improving policing throughout the island and developing community identification with and support for the police services, the Governments concerned will cooperate under the auspices of a Council of Ireland through their respective police authorities. To this end the Irish Government would set up a police authority, appointments to which would be made after consultation with the council of ministers of the Council of Ireland. In the case of the Northern Ireland police authority, appointments would be made after consultation with the Northern Ireland executive which would consult with the council of ministers of the Council of Ireland. When the two police authorities are constituted they will make their own arrangements to achieve the objectives set out above.

16. An independent complaints procedure for dealing with complaints against the police will be set up.

17. The Secretary of State for Northern Ireland will set up an all party committee from the assembly to examine how best to introduce effective policing throughout Northern Ireland with particular reference to the need to achieve public identification with the police.

18. The conference took note of a reaffirmation by the British Government to bring detention to an end in Northern Ireland, for all sections of the community as soon as the security situation permits, and noted also that the Secretary of State for Northern Ireland hopes to be able to bring in his statutory powers of selective release in time for a number of detainees to be released before Christmas.

19. The British Government stated that, in the light of decisions reached at the conference, they would now seek the authority of Parliament to devolve full powers to the Northern Ireland Executive and the Northern Ireland Assembly, as soon as possible. The formal appointment of the Northern Ireland Executive would then be made.

20. The conference agreed that a formal conference would be held early in the new year at which the British and Irish Governments and the Northern Ireland Executive would meet together to consider reports of the studies which have been commissioned and to sign the agreement reached.

“Text of Communique After Talks on Ireland” *Times (London)*. 10 December 1973, 2.



## APPENDIX D: THE DOWNING STREET DECLARATION/ JOINT DECLARATION

### *Message from the Government*

This Joint Declaration is a charter for peace and reconciliation in Ireland. Peace is a very simple, but also a very powerful idea, whose time has come. The Joint Declaration provides from everyone's point of view a noble means of establishing the first steps towards a lasting peace in Ireland.

The central idea behind the Peace Declaration is that the problems of Northern Ireland, however deep and intractable, however difficult to reconcile, have to be resolved exclusively by political and democratic means. Its objective is to heal divisions among the peoples of Ireland.

The Declaration makes it clear that it is for the people of Ireland, North and South, to achieve agreement without outside impediment. The British Government have also declared that they will encourage, enable and facilitate such an agreement, and that they will endorse whatever agreement emerges and take the necessary steps to implement it. The language of the Declaration quite clearly makes both Governments persuaders for agreement between the people of Ireland.

The dynamic for future progress must reside in the full use of the democratic political process, in the underlying changes in Irish society, North and South, and in our external environment.

Peace is the first essential for better relationships on this island. The Joint Declaration is only the first stage in the Peace Process. There will never be a better opportunity. Peace will allow us to develop a new atmosphere of trust and co-operation and to establish a new era of *détente*, which is the only way forward.

1. The Taoiseach, Mr. Albert Reynolds TD, and the Prime Minister, the Rt Hon John Major, acknowledge that the most urgent and important issue facing the people of Ireland, North and South, and the British and Irish Governments together, is to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted, recognizing that the absence of a lasting and satisfactory settlement of relationships between the peoples of both islands has contributed to continuing tragedy and suffering. They believe that the development of an agreed framework for peace, which has been discussed between them since early last year, and which is based on a number of key principles articulated by the adaptation of other widely accepted principles, provides the starting point of a peace designed to culminate in a political settlement.
2. The Taoiseach and the Prime Minister are convinced of the inestimable value to both their peoples, and particularly for the next generation, of healing divisions in Ireland and of ending a conflict which has been so manifestly to the detriment of all. Both recognize that the ending of divisions can come about only through the agreement and co-operation of the people, North and South, representing both traditions in Ireland. They therefore make a solemn commitment to promote co-operation at all levels on the basis of the fundamental principles, undertakings, obligations under international agreements, to which they have jointly committed themselves, and the guarantees which each Government has given and now reaffirms, including Northern Ireland's statutory constitutional guarantee. It is their aim to foster agreement and reconciliation, leading to a new political framework founded on consent and encompassing arrangements within Northern Ireland, for the whole island, and between these islands.
3. They also consider that the development of Europe will, of itself, require new approaches to serve interests common to both parts of the island of Ireland, and to Ireland and the United Kingdom as partners in the European Union.
4. The Prime Minister, on behalf of the British Government, reaffirms that they will uphold the democratic wish of a greater number of the people of Northern Ireland on the issue of whether they prefer to support the Union or a sovereign united Ireland. On this basis, he reiterates, on behalf of the British Government, that they have no selfish strategic or economic interest in Northern Ireland. Their primary interest is to see peace, stability and reconciliation established by agreement among all the people who

inhabit the island, and they will work together with the Irish Government to achieve such an agreement, which will embrace the totality of relationships. The role of the British Government will be to encourage, facilitate and enable the achievement of such agreement over a period through a process of dialogue and co-operation based on full respect for the rights and identities of both traditions in Ireland. They accept that such agreement may, as of right, take the form of agreed structures for the island as a whole, including a united Ireland achieved by peaceful means on the following basis. The British Government agree that it is for the people of the island of Ireland alone, by agreement between the two parts respectively, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland if that is their wish. They reaffirm as a binding obligation that they will, for their part, introduce the necessary legislation to give effect to this, or equally to any measure of agreement on future relationships in Ireland which the people living in Ireland may themselves freely so determine without external impediment. They believe that the people of Britain would wish, in friendship to all sides, to enable the people of Ireland to reach agreement on how they may live together in harmony and in partnership, with respect for their diverse traditions, and with full recognition of the special links and the unique relationship which exist between the peoples of Britain and Ireland.

5. The Taoiseach, on behalf of the Irish government, considers that the lessons of Irish history, and especially of Northern Ireland, show that stability and well-being will not be found under any political system which is refused allegiance or rejected on grounds of identity by a significant minority of those governed by it. For this reason, it would be wrong to attempt to impose a united Ireland, in the absence of the freely given consent of a majority of the people of Northern Ireland. He accepts, on behalf of the Irish Government, that the democratic right of self-determination by the people of Ireland as a whole must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland and must, consistent with justice and equity, respect the democratic dignity and the civil rights and religious liberties of both communities, including:

- the right of free political thought;
- the right to freedom and expression of religion;
- the right to pursue democratically national and political aspirations;
- the right to seek constitutional change by peaceful and legitimate means;
- the right to live wherever one chooses without hindrance;
- the right to equal opportunity in all social and economic activity, regardless of class, creed, sex, or colour.

These would be reflected in any future political and constitutional arrangements emerging from a new and more broadly based agreement.

6. The Taoiseach however recognizes the genuine difficulties and barriers to building relationships of trust either within or beyond Northern Ireland, from which both traditions suffer. He will work to create a new era of trust, in which suspicion of the motives or actions of others is removed on the part of either community. He considers that the future of the island depends on the nature of the relationship between the two main traditions that inhabit it. Every effort must be made to build a new sense of trust between those communities. In recognition of the fears of the Unionist community and as a token of his willingness to make a personal contribution to the building up of that necessary trust, the Taoiseach will examine with his colleagues any elements in the democratic life and organization of the Irish State that can be represented to the Irish Government in the course of political dialogue as a real and substantial threat to their way of life and ethos, or that can be represented as not being fully consistent with a modern democratic and pluralist society, and undertakes to examine any possible ways of removing such obstacles. Such an examination would of course have due regard to the desire to preserve those inherited values that are largely shared throughout the island or that belong to the cultural and historical roots of the people of this island in all their diversity. The Taoiseach hopes that over time a meeting of hearts and minds will develop, which will bring all the people of Ireland together, and will work towards that objective, but he pledges in the meantime that as a result of the efforts that will be made to build mutual confidence no

Northern Unionist should ever have to fear in future that this ideal will be pursued either by threat or coercion.

7. Both Governments accept that Irish unity would be achieved only by those who favor this outcome persuading those who do not, peacefully and without coercion or violence, and that, if in the future a majority of the people of Northern Ireland are so persuaded, both Governments will support and give legislative effect to their wish. But, notwithstanding the solemn affirmation by both Governments in the Anglo-Irish Agreement that any change in the status of Northern Ireland would only come about with the consent of a majority of the people of Northern Ireland, the Taoiseach also recognizes the continuing uncertainties and misgivings which dominate so much of Northern Unionist attitudes towards the rest of Ireland. He believes that we stand at a stage of our history when the genuine feelings of all traditions in the North must be recognized and acknowledged. He appeals to both traditions at this time to grasp the opportunity for a fresh start and a new beginning, which could hold such promise for all our lives and generations to come. He asks the people of Northern Ireland to look on the people of the Republic as friends, who share their grief and shame over all the suffering of the last quarter of a century, and who want to develop the best possible relationship with them, a relationship in which trust and a new understanding can flourish and grow. The Taoiseach also acknowledges the presence in the constitution of the Republic of elements which are deeply resented by Northern Unionists, but which at the same time reflect hopes and ideals which lie deep in the hearts of many Irish men and women North and South. But as we move towards a new era of understanding in which new relationships of trust may grow and bring peace to the island of Ireland, the Taoiseach believes that the time has come to consider together how best the hopes and identities of all can be expressed in more balanced ways, which no longer engender division and the lack of trust to which he has referred. He confirms that, in the event of an overall settlement, the Irish Government will, as part of a balanced constitutional accommodation, put forward and support proposals for change in the Irish constitution which would fully reflect the principle of consent in Northern Ireland.

8. The Taoiseach recognises the need to engage in dialogue which would address with honesty and integrity the fears of all traditions. But that dialogue, both within North and between the people and their representatives of both parts of Ireland, must be entered into with an acknowledgment that the future security and welfare of the people of the island will depend on an open, frank and balanced approach to all the problems which for too long have caused division.

9. The British and Irish Governments will seek, along with the Northern Ireland constitutional parties through a process of political dialogue, to create institutions and structures which, while respecting the diversity of the people of Ireland, would enable them to work together in all areas of common interest. This will help over a period to build the trust necessary to end past divisions, leading to an agreed and peaceful future. Such structures would, of course, include institutional recognition of the special links that exist between the peoples of Britain and Ireland as part of the totality of relationships, while taking account of newly forged links with the rest of Europe.

10. The British and Irish governments reiterate that the achievement of peace must involve a permanent end to the use of, or support for, paramilitary violence. They confirm that, in these circumstances, democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead.

11. The Irish Government would make their own arrangements within their jurisdiction to enable democratic parties to consult together and share in dialogue about the political future. The Taoiseach's intention is that these arrangements could include the establishment, in consultation with other parties, of a Forum for Peace and Reconciliation to make recommendations on ways in which agreement and trust between both traditions in Ireland can be promoted and established.

12. The Taoiseach and the Prime Minister are determined to build on the fervent wish of both their peoples to see old fears and animosities replaced by a climate of peace. They believe the framework they have set out offers the people of Ireland, North and South, whatever their tradition, the basis to agree that from now on their differences can be negotiated and resolved exclusively by peaceful political means. They appeal to all concerned to grasp the opportunity for a new departure. That step would comprise no position or principle, nor prejudice the future for either community. On the contrary, it would be an incomparable gain for all. It would break decisively the cycle of violence and the intolerable suffering it entails for the people of these islands, particularly of both communities in Northern Ireland. It would allow the process of economic and social co-operation on the island to realize its full potential for prosperity and mutual understanding. It would transform the prospects for building on the progress already made in the Talks process, involving the two Governments and the constitutional parties in Northern Ireland. The Taoiseach and the Prime Minister believe that these arrangements offer an opportunity to lay the foundations for a more peaceful and harmonious future devoid of the violence and bitter divisions which have scarred the past generation. The commit themselves and their Governments to continue to work together, unremittingly, towards that objective.

15 December 1993

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